

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

BOARD MEETING

JULY 9, 1991

**JIMMY JENKINS
CHAIRMAN**

BATON ROUGE, LOUISIANA

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
JULY 9, 1991

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The following constitute minutes of the Commission Meeting
and are not a verbatim transcript of the proceedings.

Tapes of the meetings are kept at the
Louisiana Department of Wildlife and Fisheries
2000 Quail Drive

Baton Rouge, Louisiana 70808

For more information call (504) 765-2806

MINUTES OF MEETING
OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
July 9, 1991

Chairman James H. Jenkins, Jr. presiding.

Tuesday, July 9, 1991

Houston Foret
Bert Jones
Norman McCall
Warren Pol
Pete Vujnovich

Commissioner Jeff Schneider was not in attendance.

Acting Secretary A. Kell McInnis III was also present.

Chairman Jenkins announced that Items 6 and 7 on the agenda, Game Hunting Seasons and Date and Resident Game Birds would be taken up in the afternoon since there was a Commission member who could not be at the meeting till noon.

Chairman Jenkins called the July Commission meeting to order then called for a motion to adopt the Minutes of the June 6, 1991, Commission Meeting. A motion was made by Mr. Foret for approval of the minutes. The motion was seconded by Captain Vujnovich and passed unanimously.

Signs for Offshore Shrimp Line at Caillou Boca was the next item presented to the Commission. Mr. Foret announced that there was a fisherman in the audience that would present this information. Mr. Foret handed out maps and materials and asked Mr. Ronnie Picou to address the Commission. Mr. Ronald (Ronnie) Picou, 602 San Antonio Boulevard, Houma, Louisiana, addressed the Commission. On behalf of his fellow fisherman Mr. Picou asked the Commission to consider, vote and promulgate into law a revised statute for: a clear and visible line of distinction - a viable line, a sign type marker of a reflective nature, affixed on a high land point to point (piling on land) as indicated in Exhibit A (known as Caillou Boca).

This line of distinction would be visible day or night with no excuse for violations. There is much confusion as to the correct existing line. This area also would become a safe haven for smaller vessels in harvesting migrating shrimp without danger to life and property from the elements of nature during the shrimp exodus advised Mr. Picou.

The second petition presented by Mr. Picou dealt with the **Moving of the Offshore Shrimp Line at Wine Island Pass**. This petition also requested the Commission for a revised statute for a new line from the northwest end of the tank battery platform at Wine Island Pass (across the Monkey Bar - Wine Island rock jetty) to the northwest tip end of Timbalier Island at Cat Island Pass also using reflectors markers from point to point to point as indicated in Exhibit B. This also would become a safe haven as explained in Petition A advised Mr. Picou.

Concluding, Mr. Picou thanked the Commissioners for listening to the fishermen on this most important matter and asked if there were any questions.

Chairman Jenkins asked about the existing shrimp line and the proposed line as indicated on the map. Mr. Picou explained that there is much confusion to many of the fishermen who work the area and it seems that some who do not have loran become victims at that particular point because they do not have the facilities to be able to work in that particular area. The proposed line would be clear and concise to where the fishermen could see it from one side to the other in the dark with spotlights and there would be no excuse for violation. Chairman Jenkins asked why the line at the Monkey Bar area was moved inward. Mr. Picou advised because of the rebuilding of Wine Island the Monkey Bar, on low tides, is starting to protrude and become visible and the line is drawn right on the Gulf Side of the bar which would still be following a beach front. Chairman Jenkins asked if the rebuilding of Wine Island was being done for a private owner. Mr. Picou answered that from what he understands this is being done for a double purpose, one is the for dredging the Cat Island Pass and the other is the rebuilding of the barrier islands.

Chairman Jenkins asked if anyone else from the Commission had any questions. There being none Chairman Jenkins asked Mr. Don Puckett, Legal Counsel, if it was possible for the Commission to do anything about this. Mr. Puckett advised that as he reads it on defining or redefining the inside, outside line, this is the province of the legislature and does not think it has been delegated to the Commission. Chairman Jenkins stated that this was one of his concerns. After further discussion on who has the authority to define or redefine inside, outside lines Mr. Puckett advised that from his recollection and knowledge concerning changes in the line they were made by the legislature and does not recall during his tenure with the department the Commission ever changing the line. There have been occasions when the department or the Commission has proposed legislatively that it be change stated Mr. Puckett. Mr. Picou stated that if this was the case they would like to introduce this for legislation as soon as possible. Chairman Jenkins suggested that the Commission take this under advisement and check it out and possibly a recommendations could be made that the department staff study this and make

recommendations to the legislature. Mr. Picou advised that with all of them working together maybe they could get something done and thanked the Commission for their consideration.

Mr. Blachard addressed the Commission on this matter and advised that the line at Calliou Boca has been abused and it is not where the Wildlife and Fisheries in Terrebonne Parish claim it is. When Doug Greenburg took office he moved the line about a half of mile further out. Two years later he moved it back in to the U.S. Coast Guard light which has been torn down and rebuilt further out. The line according to Louisiana law, in latitude and longitude, is a quarter to three-eighths of a mile further in. The fishermen are not allowed to work this area and are asking the Commission to have Enforcement enforce the line according to Louisiana law and not according to a landmark that has been moved concluded Mr. Blanchard.

A Discussion on Spotted Trout Quota-Limits-Sizes was held. Mr. Pol advised that the reason he put this item on the agenda was because he was completely ignorant of what is going on. First they are told that everything is alright with the speckled trout, then it is found out that the commercial fishermen have not reached their quota. How come the quota has not been reached asked Mr. Pol? Some people say that the multiplier is being applied wrong against the amount of fish that are reported. A lot of fish are being caught that are not reported especially in the Cameron-Lake Charles areas that are being loaded directly into vans and are taken to Texas. Also reported was that there are several boats that fish the Breton Islands-Chandeleur Sound that do not come into Louisiana's waters but go into Mississippi, Alabama to discharge their catches. The restaurants are not required to report the fish that they buy. Mr. Pol advised that they are now approaching the spawning season and he wants to be as fair to the commercial fishermen as he is to the sports fishermen. If speckled trout has gotten back to what it was before then the reporting or method of seeing what is caught and reported is not right and something needs to be done about this stated Mr. Pol. Mr. Pol advised that he has talked to a lot of people that are knowledgeable on this and they feel like people have found out how to beat the system. Consideration should be given to whether a certain monthly (September to March) period be set for commercial fishermen. The system now being used is being beat and it is the opinion of many people that the quota was reached at least two months ago as it has been in the last two or three years. Mr. Pol asked Mr. John Roussel to give the estimated quota as of now.

Mr. Roussel addressed the Commission (summary chart on totals was handed out) and advised that the cumulative total through July 7, 1991, is 1.12 million pounds reported landed. This is not a true figure through July 7th because nobody is required to report July landings until August 10th. The June and July numbers were obtained through the department's efforts of calling around and

going out and collecting information prior to the system requiring them to report it. The last true figure on the chart was the May figure because the June landings are not required to be reported until July 10th. The most accurate figure would be that 1.12 million pounds have been landed through the first week of July. This figure has been run through the projection model that is used every year to obtain a projected closing date. The projected closing date would be sometimes in early August advised Mr. Roussel.

Mr. Pol stated that he sees no sense in closing it if the season is going to be opened again in September and asked Mr. Roussel what did he feel like, as one of the biologists, the problem is that the commercial quota has not been met and is the multiplier being applied wrong. Mr. Roussel advised that the only multiplier that is used in any kind of calculation is in those cases where fish are landed in a gutted condition. A conversion factor is used to convert back to a whole weight because the quota is in whole weight. The only other step that involves any kind of multiplier is the projection model. Mr. Roussel gave a brief background on the projection model and the ten year data set. Mr. Pol asked if the restaurants report the fish that they buy and does the department have any way to check this. Mr. Roussel advised that under the present law restaurants who buy directly from a commercial fisherman are required to submit reports and the question regarding checking would have to be answered for each individual restaurant. The restaurants that buy from another dealer are not required to report but the dealer who is the first buyer is required to report. This keeps from double counting fish. Chairman Jenkins asked if there were any report where restaurants are reporting buying fish directly from a fisherman? Ms. Karen Foote advised that they do. Chairman Jenkins asked how many? Mr. Roussel advised that for Ms. Foote to answer that question she would have to go through a list of probably three thousand people to pick out how many. Ms. Foote stated that a month ago there were about fifteen restaurants. Mr. Pol asked Mr. Roussel why a quota has not been reached. Mr. Roussel stated that he did not know of anyone who could defensively say why and there are a number of possible explanations. One possibility would be the availability of fish which is the most logical one that most people think about. Another possible explanation would be effort. Mr. Pol asked if in Mr. Roussel's opinion did he think the system was being beat and has a quota been reached. Mr. Roussel answered that based on the information that he has available, which he considers to be the best that anybody has, no it has not. Mr. Pol asked Mr. Roussel since some people feel like the system is being beat if he thought a specified time should be set (September-May) for a season instead of a quota. Mr. Roussel stated that a season is a management option, however, a season does not automatically control the amount of harvest as it is quite possible a lot more could be harvested than a quota would allow. Mr. Pol asked if one special division answerable to the Secretary that would check just the catches would

help. Mr. Roussel stated that if he understood the question to be the dedication of additional people to collect the data needed for monitoring the amount of fish harvested any biologist would like to have more and better data and he would think it was a good idea. Mr. Pol advised that he had wanted to discuss this and see what was wrong and do something to help both the commercial fishermen and sports fishermen. Mr. Pol believes that if this goes through the spawning season this is the wrong thing and he would accept any recommendations from anybody that would help do a better job. Mr. McCall asked Mr. Roussel what good is the data if it is not accurate? They know that there is cheating going on. Mr. Roussel stated that if he knew that data was not accurate his first step would be to correct those deficiencies in the data collection system. Mr. McCall asked how was this going to be done where they do not know how much cheating is going on. Mr. Roussel commented that if you know it is going on, you know how it is going on and you should be able to correct that deficiency.

Mr. Pol asked if any citations were issued for under reporting. Chairman Jenkins advised that the answer to that was yes.

Continuing, Mr. Roussel stated that in lieu of having to make something up he would rather go with data that he has, recognizing that it has some inadequacies. Mr. McCall commented that he sees where Mr. Roussel is coming from and that he is going to stick by the data he has which is the best he has. It is known that there is cheating going on and the information is not correct data. The point that Mr. McCall is getting at is how much of this is going on is not known. By getting better enforcement and catching these people Mr. McCall thinks the quota will be met a whole lot quicker than this year and personally does not believe the quota will be met this year or the following years with the system that is in place now. A system is needed that is more accurate in reporting and better enforcement to stop this advised Mr. McCall.

Acting Secretary McInnis commented that last month the Commission had asked the department to take a look at the reporting system. Ms. Karen Foote, John Roussel, Dr. Jerry Clark and Enforcement Division have addressed this and it will be presented at this meeting. The trip ticket system that is currently in use in Florida will be discussed and is one of the answers to getting more accurate data. The department is addressing the issue, and they are concerned about the accurateness of the data and availability to double check it advised Acting Secretary McInnis.

Chairman Jenkins asked if there were any other Commission members who wanted to comment. There being none he asked if anyone from the audience wanted to speak.

Mr. Mark Hilzin, GCCA, addressed the Commission. Mr. Hilzin stated that he had a few comments to make but believed he would wait until the appropriate time in the agenda to make them. Mr. Hilzin

addressed one comments that Mr. Pol made earlier about "what is the use of closing the quota down if it is only a few weeks left before it starts again" stating that he certainly shares Mr. Pol's frustration and all but would hope that if in fact a projection can be made for a closure before September 1, even if it is two or three weeks, that the season closes on the projected date.

Mr. T-John Mialjevich addressed the Commission. Mr. Mialjevich stated that as a third party observer he thinks the problem is enforcement. There is cheating on both sides Mr. Mialjevich believes but has not heard any discussion about any citations given to recreational fishermen catching over the limit. With the ten year average that Mr. Roussel talked about that if there was under reporting now surely there must have had under reporting then commented Mr. Mialjevich. If the commercial fishermen are going to be penalized now because the system does not work the way others want it to because of under reporting then the quota should be reevaluated and the under reporting factor over the ten year historic landings added in which might gave a 2 million pound quota for commercial fishermen instead of 1.25 stated Mr. Mialjevich. Mr. Mialjevich stated that he agrees one hundred percent with getting rid of all outlaws on both sides of the fence and save the resource for everybody. Look at this in a rational way and give the enforcement way a try. Mr. Mialjevich does not believe that the speckled trout species will become endangered if there is no quota closure this year and he pointed out that another problem why the quota has not been reached could be the bad weather this year.

Mr. McCall commented that he may had given Mr. Milajevich the wrong impression that he was picking on commercial fishermen but at the last Commission meeting he mentioned that he thought there was cheating on both sides, commercial and sports.

Mr. George Patterson, Lacombe, Louisiana, addressed the Commission. Mr. Patterson advised that they fish all inside waters, Lake Pontchartrain, Delico Island, Leeville and Golden Meadow and while they are fishing they are being surrounded by nets. The problem is that the nets are catching even the bit laying fish. The nets are everywhere on inside waters and if you want to catch bigger trout you have to get out where there are no nets concluded Mr. Patterson.

Chairman Jenkins asked if there were any more comments. There being none Chairman Jenkins stated that if he was not mistaken he believed that the Commission gave the Secretary the authority to close the season when the quota is met and it could close between now and the next meeting. Mr. Pol stated yes (referring to the authority that was given).

A presentation on the Natural Area Registry/Kisatchie National Forest Recognition was given by Mr. Johnnie Tarver. Mr. Tarver

reported that the Natural Area Registry Program is a contracted agreement with the Nature Conservancy to oversee the Registry Program. Ms. Mary Catillo is the landowner contact. This program was created in 1987 and is a cooperative venture between the department and the Nature Conservancy. The primary objective of the program is to register and ensure the survival of the best remaining natural landscapes. It is necessary to work with the landowners to safe guard these areas. The program is currently voluntarily and is used as an educational and public relations tour. Currently registered, in writing, there are over fifty tracts of land totalling over thirty four thousand acres. The sites are located in twenty two of the sixty four parishes and include public as well as private lands. All sites are selected by the Natural Heritage Program. The Registry Program has ensured the survival of rare animals and plants. Mr. Tarver advised that they would like to make special presentation today for two sites which are located on the Kisatchie National Forest. Mr. Danny Britt, Supervisor, Kisatchie National Forest, is attending the meeting representing Kisatchie. These two areas now makes a total of six hundred and forty one acres registered on Kisatchie which represents eight sites. The new additions are the Sheard Branch Boulders Natural Area (40 acres) and the Sheard Branch Sandstone Barrens Area (30 acres).

At this point in the meeting Mr. Tarver introduced Mr. Danny Britt at which time two plaques were presented. Following the presentation, photographs were taken. Mr. Britt commented that they appreciate the cooperation that the Natural Heritage Program and the Nature Conservancy has provided to recognize these areas, help inventory and prepare management guidelines for the areas. Mr. Britt thanked the department and Nature Conservancy for the plaques and recognition.

Mr. Tommy Prickett presented a **Emergency Declaration on the Wild Alligator Harvest**. Mr. Prickett presented to the Commission a Declaration of Emergency to set the Alligator season for the upcoming fall. Last year the season was September 1st through the 30th. There were 25,801 alligator tags issued with a harvest of 25,000 alligators. This is a 97 percent success rate. The average size was seven feet and the sale of the 25,000 alligator hides generated ten million dollars for the landowners and hunters. The sale of meat, 700,000 pounds, generated an additional three million dollars. The season was very successful. The dates being recommended for this year are August 31st through September 29th. Quotas for the harvest are being calculated now and will be brought to Acting Secretary McInnis next week for his approval. Concluding Mr. Prickett asked if there were any questions. There being none Chairman Jenkins asked Mr. Prickett to read the declaration of emergency. Mr. Prickett concurred. A motion was made by Mr. McCall that they approve the declaration as read by Mr. Prickett. The motion was seconded by Mr. Pol and passed unanimously.

(The full text of the emergency declaration is made a part of the record)

DECLARATION OF EMERGENCY
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

ALLIGATOR RULE

In accordance with the emergency provisions of R.S. 49:953(B), and the Administrative Procedures Act, R.S. 49:967(d) which provides that the Wildlife and Fisheries Commission use emergency procedures to set the wild alligator season, the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held 9 July 1991 in Baton Rouge, Louisiana, does hereby set the 1991 wild alligator season dates as follows:

Wild Alligator Season 31 August 1991 through 29 September 1991.

This emergency adoption is necessary to allow Department biologists adequate time to gather the biological data required to recommend season dates and harvest quotas based on up-to-date information.

James H. Jenkins, Jr.
Chairman

Mr. Johnnie Tarver presented a Notice of Intent on Rule Change for the Game Breeder's License, Wolves and Wolf Crosses. Mr. Tarver advised that the private sector possession of wolves or wolf hybrids regardless of the original parental is prohibited under present law. Exceptions are available for educational institutions, zoos and scientific organizations. This has caused certain problems mainly dealing with enforcement and dealing with the public interest that has been shown with the recent movies that have come out. There is a lot of interest by the public and they have what they consider wolves and wolf crosses in their possession. The present rule and regulation does not adequately address this and the proposed amended rule will try to clarify this. The department proposes to modify the existing game breeder's license, specifications to allow for the private possession of gray wolves and gray wolf hybrids without a permit from the department. The possession of red wolves or red wolf hybrids still remains illegal. To assist in enforcement with these regulations owners of gray wolf hybrids should retain proof of parentage for each animal. Concluding, Mr. Tarver read the notice of intent and advised that they are attempting to clarify for the public and enforcement purposes what the intent of the law is. Chairman Jenkins called for questions from the Commission and audience. There being none Chairman Jenkins called for a motion.

A motion was made by Mr. Pol that they accept the notice of intent. The motion was seconded by Captain Vujnovich and passed unanimously.

(The full text of the notice of intent is made a part of the record)

NOTICE OF INTENT

DEPARTMENT OF WILDLIFE AND FISHERIES WILDLIFE AND FISHERIES COMMISSION

TITLE 76 WILDLIFE AND FISHERIES

PART V. WILD QUADRUPEDS AND WILD BIRDS

Chapter 1. Wild Quadrupeds

Section 107. Game Breeder's License

The Department of Wildlife and Fisheries does hereby give notice of its intent to amend and adopt the rule governing game breeder's license, that part dealing with wolves and wolf crosses. The specific section to be amended is as follows:

9. *WOLVES AND WOLF CROSSES

- A. No license will be issued to possess red wolves or red wolf hybrids.
- B. Persons possessing full-blooded gray wolves must obtain a permit from the U.S. Fish and Wildlife Service. No license from the Louisiana Department of Wildlife and Fisheries necessary.
- C. Persons possessing gray wolf-domestic dog hybrids must retain proof of parentage for each animal. No license from the Louisiana Department of Wildlife and Fisheries necessary.

Single animal: 15 feet long x 8 feet wide x 6 feet high; double cage area for each additional animal; secluded den area required, 4 feet x 4 feet for each animal; sturdy wire required.

Interested persons may submit oral and written comments relative to the proposed amendment until 4:30 p.m., October 18, 1991, and are to be sent to Johnnie Tarver, Administrator, Habitat Conservation Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:171.
HISTORICAL NOTE: Promulgated by the Department of Wildlife
and Fisheries, Wildlife and Fisheries Commission, L.R. 14:631
(September, 1988), Amended L.R. 17: (, 1991).

James H. Jenkins, Jr.
Chairman

Mr. John Roussel presented a Resolution for Secretarial Authority for Fall Inshore Shrimp Season Opening. Mr. Roussel explained that this resolution authorizes the Secretary of the department to set the opening and closing dates for the fall inshore shrimp season. The reason this was prepared for the Commission's consideration is because the August Commission meeting, which is the meeting that normally the inshore fall season is set, is scheduled for the Friday, August 9th. Traditionally, and by law, the fall season has been set in the pass to begin on the third Monday in August. Two years ago the legislature granted the Commission authority to set the season and in those instances the data has indicated that the opening date should be on that third Monday in August. This year the samples on the fishing grounds have indicated that there has been recruitment of white shrimp to some areas of the coast a little earlier than normal and it is quite possible that this fall inshore season the data may suggest that it be set slightly ahead of that third Monday in August. If this is the case the Commission would not have enough time between the August 9th meeting to set the season any earlier. This resolution is like a safety net to provide the flexibility where the Secretary could set the opening date for the fall season if the biological data indicates that the opening date should be set and not enough time would be allowed for the Commission to have it as an agenda in August. The resolution also provides that the Commission will be notified before any decision is made. Mr. Roussel read the "Therefore Be It Resolved" text of the resolution. Chairman Jenkins called for questions from the Commission and audience. There being none Chairman Jenkins called for a motion on the resolution. A motion was made by Captain Vujnovich that the resolution be accepted. The motion was seconded by Mr. Foret and passed unanimously.

(The full text of the resolution
is made a part of the record)

RESOLUTION
WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
JULY 9, 1991

WHEREAS, R.S. 56:497 authorizes the Wildlife and Fisheries Commission to set no less than two shrimp seasons for Louisiana's inshore waters, and

WHEREAS, historically the fall inshore shrimp season has opened on the third Monday in August, and

WHEREAS, in some years catches of marketable sized shrimp have observed during the first week of August, and

WHEREAS, it appears white shrimp recruitment during 1991 is earlier this year than in recent years, and

WHEREAS, in 1991 the Commission's August meeting is scheduled somewhat later in the month and at a remote location, and

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby authorize and empower the Secretary of the Department of Wildlife and Fisheries to set the opening dates and closing dates for the 1991 fall inshore shrimp season based on biological and technical data, and

BE IT FURTHER RESOLVED, the Secretary is directed to follow all applicable statutes and administrative procedures when setting the opening and closing dates and that the Commission be notified of any action.

James H. Jenkins, Jr.
Chairman

Mr. Don Puckett presented Right-of-Way Deed to DOTD/Alexandria Office to the Commission. Mr. Puckett presented a resolution to and proposed Act of Sale for a small portion of property (.009 acres) adjacent to the Alexandria (Region III) Regional/District Office. This is strictly a taking that DOTD has proposed for a highway right-of-way. They have tendered it to the department and have based this upon two appraisals that were received in the Alexandria area by two certified appraisers and they came out with an appraisal of a \$1.72 per square foot coming to a price of \$674.00. This is being submitted to the Commission for their consideration at this time advised Mr. Puckett. Chairman Jenkins called for questions from the Commission and audience. Mr. Jones asked what was the purpose of this. Mr. Puckett explained that it was a highway right-of-way, they are widening the road. Chairman Jenkins asked Mr. Puckett to read the "Therefore Be It Resolved" portion of the resolution. Mr. Puckett concurred. Chairman Jenkins called for a motion on the resolution. Mr. Pol made a motion that they adopt the resolution that authorizes the Chairman to consummate the sale. The motion was seconded by Mr. McCall and passed unanimously.

(The full text of the resolution

is made a part of the record)

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
RESOLUTION

July 9, 1991

WHEREAS, the Department of Transportation and Development is in need of a small portion of property owned by the Commission upon which the Alexandria (Region III) Regional/District Office is located for purposes of a road right-of-way, which parcel is more fully described on the attached Act of Sale which is made a part hereof.

THEREFORE, BE IT RESOLVED, that this Commission does hereby authorize its Chairman to execute the attached Act of Sale or a version of same modified in accordance with such formalities and legal requirements as may be recommended by Counsel.

James H. Jenkins, Chairman

A. Kell McInnis III
Acting Secretary

9 July 91
Date

The Pearl River WMA Land Exchange information was presented by Don Puckett. Mr. Puckett informed the Commission that what they have before them is a proposed Act of Exchange involving no money. At this time Mr. Puckett passed out the resolution to the Commissioners. There are approximately two twenty-six acre tracts of land located in St. Tammany Parish in the vicinity of the Pearl River Wildlife Management Area. Several years ago the department and the private owner of the other parcel agreed to an exchange of land involving this and a legislative act was passed authorizing this exchange. This was held up for a long period of time because of some legal requirements concerning the department's original purchase of the land where the department agreed to offer right of first refusal to the vendors at that time. The private landowner, Mr. Osey Singletary, has persisted in trying to consummate this exchange and has finally reached an agreement with the original vendors or their heirs with the regard to the right of first refusal. Since that time and because of the agreement worked out between the department, Commission and the Division of Administration it is incumbent upon the department to bring this to the Commission for an approval of the exchange. Mr. Puckett

submitted the exchange to the Commission and informed them that based upon a review by the Regional Game Supervisor this is viewed to be advantageous to the department from the standpoint of making a more contiguous boundary at the Pearl River tract and providing better access. The two parcels appraised out about the same, with the department land appraising lower than the private property that is being offered. Chairman Jenkins called for questions from the Commission and audience. Mr. Pol asked what was the reason this was being done. Mr. Puckett explained that this was originally proposed several years ago. The department reviewed the exchange and it appeared that the private landowner's twenty-six acre parcel was actually more advantageous to the department than the one that is held which is more of an inholding. This places more of a contiguous boundary on the WMA and allows better access than the one presently owned by the department. Mr. Pol asked what did the appraisal amount to on both pieces of land. Mr. Puckett advised that on the private tract of land there was an appraisal issued of \$400 per acre and because of the restricted nature of the tract that the department owned there was an appraisal of \$200 per acre placed on the department's property. Chairman Jenkins asked Mr. Puckett to read the "Therefore Be It Resolved" portion of the resolution. Mr. Puckett concurred. There being no other discussion, Chairman Jenkins called for a motion on the resolution. Mr. Pol made a motion that they adopt the resolution that authorizes the Chairman to make the exchange. The motion was seconded by Mr. McCall and passed unanimously.

(The full text of the resolution is made a part of the record)

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
RESOLUTION

July 9, 1991

WHEREAS, the Commission supports an exchange of property between the Department and one Osey Singletary concerning two (2) parcels of land, each consisting of twenty-six (26) acres more or less, situated in St. Tammany Parish which parcels are more fully described in the attached Act of Exchange which is made a part hereof.

THEREFORE, BE IT RESOLVED that this Commission does therefore authorize its Chairman to execute on behalf of this Commission the attached Act of Exchange or a version of same modified in accordance with formalities and legal requirements deemed necessary by Counsel.

James H. Jenkins, Chairman

A. Kell McInnis, III
Acting Secretary

9 July 91
Date

Ms. Bettsie Baker gave a presentation to the Commission on Oil Spill Restoration Activities/Trusteeship. Ms. Baker reported that something important has happened within the last eight to nine months that the department has been involved with and this is something that Mr. Baker wanted to present to the Commission because it is relevant for what the department does. Ms. Baker presented to the Commission the process and what happened with a test case that just came before the department. There are thousands of oil wells in Louisiana that can potentially do damage to fish, wildlife, or habitat. Federal legislation has been put in place, starting about 1980, to take account for potential bad things that happen, whether it is oil spills, hazardous substances or anything that affects the environment, fish, wildlife, habitat, waterways, etc. Legislation has been passed through CERCLA (Comprehensive Environmental Response Compensation and Liability Act of 1980). This in concert with the Clean Water Act of approximately the same time period and the Oil Pollution of 1990 all come together from a federal regulatory perspective to handle when hazardous substances or oil substances are released into the environment. This gives you a method of dealing with this from correcting the action taking place (cleanup particularly but not just cleanup) also the recovery of damages for damage to the environment as a result of these activities. In February of this past year Texaco had an oil spill and it directly affected one of the wildlife management areas and approximately 1,000 birds that were killed as a result of the spill. Subsequent to this, partners in this federal action (federal trustees and state trustees) were called together to determine how to assess what the damage was that had been done to the State of Louisiana, to wildlife, to habitat, and to fisheries. Not just the instantaneous damage but potentially future damages that would result from the loss of the parent population, damages as a result of environmental loss, or recreational loss, etc. A group of about fifteen persons representing the Department of the Interior, National Oceanographic Administration, the Coast Guard, Department of Environmental Quality, Wildlife and Fisheries, etc. were introduced to "How To Do A Natural Resource Damage Assessment" in light of releases of either oil or hazardous substances. A test case was set down and a methodology to help provide restitution for the loss of the resources was worked on. What resulted from this was that the group got together and determined that there was damage that happened as a result of this spill. There are several tests that you have to come forward with. You have to prove that there was damage, you have to have some definition of what the injury was which needed to be for a discharge of oil or hazardous substance.

This procedure provides a very simple method to approach this rather than hundreds of hours of attorneys, economists, and biologists getting together and trying to make this determination. Twelve to fifteen people sat down for approximately three days to put together the plan of action and what the damage assessment should involve. Once the group concurred as to what the damages looked like the company representatives were called in to try and come forward with a cooperative venture on how to address this and did they in fact agree that damage had taken place. As a result of this the company at hand did in fact agree that there were damages and they agreed to come forward to the trustees and make restitution for the loss of wildlife and the loss of habitat. In this situation several plans of action were presented of fixed assets that were needed to be put in place to help the habitat. Texaco agreed to the construction of a breakwater facility in the Lake Salvador area which will help retain the marsh habitat as freshwater habitat, will be good for the ducks and will have a positive impact on the fisheries resources that may have been damaged as a result of this. This is a way that agencies who may seem to have very different purposes can get together, work cooperatively, unify their efforts and come forward with a plan of action that is agreeable to all the parties that are participants as well as to the companies that have done damage. Concluding, Ms. Baker stated that they feel this was a very successful test case and are very pleased with Texaco willingness to work with them. Construction of the breakwater has already started and hopefully it will be completed in the next three to four months. Ms. Baker asked if there were any comments.

Acting Secretary McInnis thanked Ms. Baker and Mr. Mike Windham for participating in the series of meetings and pointed out that it has been discussed with the Department of Environmental Quality, who is listed as the trustee for the CERCLA and OPA 90 damages in the State of Louisiana, and an agreement has been worked out with the Department of Environmental Quality where the Department of Wildlife and Fisheries will be listed as a co-trustee and actually be in a better position to receive assistance in working with these damage assessments.

Mr. Johnnie Tarver and Mr. Blue Watson gave a Review on the Scenic River Streams Rule for informational purposes. (Copies of the rule can be obtained from the department). Mr. Tarver explained this item is being brought before the Commission for informational purposes only and Mr. Watson will go into the details of the rule. In 1970 the Scenic Streams System was created and included instantaneous scenic rivers. Several rivers or streams have been added since that time and at the present time there are forty nine streams or segments within the system covering about fourteen hundred miles. The inclusion of two more streams that will take place on the signature of the Governor this year are the Calcasieu River from Whiskacheeta to Moss Bluff and the Bogue Falaya from its origin to Highway 437 north of Covington and it is anticipated that the Governor will be signing these two orders soon. Three more

streams have been nominated this year which are Bayou Darbonne from Lake Claiborne to Lake Darbonne, Lake Shoepeak in Calcasieu Parish and Bayou Chaudrant in Ouachita and Union Parishes. The new Scenic Rivers Act became effective July 27, 1988. The new act required promulgation of new rules to deal with the system. The Scenic Rivers Task Force with the assistance of the Tulane Environmental Law Clinic developed draft regulations and submitted the draft to the department. This was subsequently approved by Acting Secretary McInnis. At this point in the meeting Mr. Tarver asked Mr. Watson to give a brief overview of the new rules.

Mr. Watson advised that the new Scenic Rivers Regulations will be published in the July State Register which will be coming out on the 20th of this month. At this publication the new regulations will officially be promulgated. The new regulations were developed by the Scenic Rivers Task Force in conjunction with the Tulane Environmental Law Clinic and were presented to the department. A notice of intent was published in March, a public hearing was held in May in Baton Rouge. Quite a few comments were received from the public at the hearing and in writing, most of which were incorporated in the rules and regulations. Very briefly Mr. Watson went through the contents of the rules and regulations. Concluding, Mr. Watson asked if there were any questions. Mr. Pol asked since the Wildlife and Fisheries Commission has absolutely nothing at all to do with this why is it being brought before the Commission. Mr. Watson advised this was for informational purposes only and there were several of the Commissioners who had indicated an interest in the process. Mr. Schneider had served on the Scenic Rivers Task Force prior to taking his seat on the Wildlife and Fisheries Commission. Mr. Jones also indicated an interest in this matter. Acting Secretary McInnis stated that there have been a number of questions about the procedure such as the nomination process, what it would take for development along the system and what it would take to remove a body of water from the system. Last year the Commission did get involved with the Scenic Rivers System where there was a request to do some development work (oil well) and the matter was denied by then Secretary Van Sickle thus bringing the matter before the Commission for a hearing. The department is just trying to keep the Commission apprised of the status of the system advised Acting Secretary McInnis. Chairman Jenkins asked what types of major complaints have been received on putting these rivers on the list. Mr. Watson advised that most of the complaints come from the riparian landowners whose primary concern is loss of privileges along the river on property that they own. The Scenic Rivers Act and the regulations provide that the Scenic Rivers Act cannot interfere with normal activity of the landowner along the stream on the riparian lands. Activities within one hundred feet of the stream if it is determined that they will have a significant impact on the ecology of the stream may be required to get a permit. There is little prohibition with the single exception of commercial clear-cutting of trees within one hundred feet of the stream that is provided for in the statute, not

in the regulations, that would actually interfere with the landowner doing pretty much what he would like to do with his property. Within the one hundred foot buffer strip there certainly would be some consideration and discussion with the landowner about the possibility of having to secure a permit. What kind of impact this would have on property rights have been the primary concern commented Mr. Watson. Chairman Jenkins stated he was kind of concerned about this also and is always concerned when the government wants to take people's private property and do thing with it without their permission or paying for it. Mr. Watson advised that they tried to be extremely careful in the wording in the regulations and in the statute so that activities that the department would get involved in would not constitute a taking without due process. Chairman Jenkins thanked Mr. Watson for his presentation.

A Resolution for Approval of Land Acquisition was presented by Mr. Robert Love. Mr. Love, Game Division, advised that they have been in the process of evaluating and compiling a list of available tracts for acquisition for inclusion into the wildlife management area system. In cooperation with the sub-committee of Land Acquisition the department has actively pursued purchase of a 6,900 acre tract of land in East Carroll Parish and has negotiated a contract purchase agreement. The tract is bisected by Louisiana Highway 2 and has a blacktop road in the south end. There is about 5,600 acres of bottomland hardwood and 1,600-1,700 acres of agriculture land on the south end. The tract is located in the northeast corner of Louisiana and fills a void where there are no recreational outlets. The new wildlife management area will be named the Bayou Macon Wildlife Management Area as Bayou Macon is the prominent geographical feature that runs down the western side of the tract with the Macon Ridge west also.

Mr. Pol asked how come the cost of the property was not in the resolution. Mr. Love stated that the cost was \$2,713,000 for 6,900 acres which works out to be \$393 an acreage on the average and the purchase price was approved by the Commission's Land Acquisition Committee. Mr. Pol commented that the price should be reflected in the resolution since the acreage was reflected. Mr. Love advised that the purchase price would be added into the resolution. Chairman Jenkins asked Mr. Love to read the "Therefore Be It Resolved" portion of the resolution. Mr. Love concurred. Chairman Jenkins asked if there were any more questions. Mr. Jones stated that he thought it needed to be brought up that this was the first acquisition that the department has had in a significant period of time, this is the first acquisition to use the bond money from the sale of the New Orleans building and the land acquisition program for the Wildlife and Fisheries is up and going. Acting Secretary McInnis added that he is very pleased with this and this is an excellent site. As of last night the Capital Outlay Bill followed the Appropriations Bill through the process and Acting Secretary McInnis stated that he would like to personally go on record of thanking Mr. Dennis Stine who protected the monies that were set

aside in the bond program for the department last year. There was an attempt to remove some of the dollars and with the help of the Commissioner of Administration and support of the Governor the department was able to keep the entire eighteen million dollars in tact. Another seven and a half million has been moved up to Category 2 which should be available in September and the balance of the monies would remain in Category 3 advised Acting Secretary McInnis. Hopefully by the turn of the calendar year the department will have been in the process of spending most of the eighteen million dollars and there are some excellent sites identified. If the department is successful in negotiating with some of the parties the department will have enhanced the public property for the State of Louisiana. Chairman Jenkins called for comments. There being none Chairman Jenkins called for a motion on the resolution. Mr. Jones made a motion to accept the resolution. The motion was seconded by Mr. Pol and passed unanimously. Mr. Hugh Bateman, on behalf of the Game Division, thanked Mr. Love for the work that he has done on the acquisition program.

(The full text of the resolution
is made a part of the record)

RESOLUTION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES
COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, JULY 9, 1991

WHEREAS, the Louisiana Department of Wildlife and Fisheries and the Louisiana Wildlife and Fisheries Commission both recognize the value of acquiring lands for outdoor recreation, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has an active land acquisition program, and

WHEREAS, the game division staff, in concurrence with the land acquisition committee, have actively pursued purchase of a certain 6,900 acre tract of land in East Carroll parish, and

WHEREAS, this activity has resulted in the negotiation of a Purchase Agreement which has been agreed to by both Westbank Planting Co. and this Department, and

WHEREAS, the purchase price which has been agreed upon is two million, seven-hundred and thirteen thousand dollars (\$2,713,000), now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries

Commission does hereby authorize the Secretary to consummate these negotiations through Cash Sale and to acquire said lands and include these lands into the Departments Wildlife Management Area program, and

BE IT FURTHER RESOLVED, that the new acquired lands be named the BAYOU MACON W.M.A., and established as a Wildlife Management Area after Proclamation by the Governor.

A. Kell McInnis III
Acting Secretary
LA Dept. Wildlife & Fisheries

James H. Jenkins, Jr.
Chairman
Wildlife & Fisheries Commission

The Meeting Date for October Commission Meeting was set for Tuesday, October 8, 1991, at the Wildlife and Fisheries Building, Louisiana Room, Baton Rouge, Louisiana.

Chairman Jenkins adjourned the meeting for lunch until 1:30 p.m., Tuesday, July 9, 1991.

At 1:30 p.m., July 9, 1991, Chairman Jenkins called the July Commission meeting to order.

A report on the Nutria Control Cost Share Program was given by Mr. Tommy Prickett. Mr. Prickett reported that there are many areas of the state where there is an over population of nutria. This over population has been caused by depressed prices in the fur industry which has translated into reduced effort by trappers. The season information from last year points out what is going on and the trend has been taking place since the mid 1980's. Last year (1990) 1,000 trapping licenses were sold. In 1989 there was 1,800 licenses sold. Historically, and through the mid 80's the department averaged 12,000-15,000 trapping licenses every year. Last year there were 135,000 nutria harvested. In 1989 there were 155,000 harvested. Through the mid 80's an excess of one million animals were harvested each year with a high of 1.9 million. The trapping industry has cratered and it is all based on the price of the pelts the trappers are being paid. Two years ago the department came before the Commission, presented a slide presentation and information that documented the over population and the fact that marsh is being damaged throughout the state, primarily in southeast Louisiana, and the Commission asked the department to address this problem. Three things have been implemented since that request. Special permits have been issued which allow landowners, and their trappers, with nutria damage to take nutria during closed season in damaged area; allowed landowners with agriculture crops being damaged by nutria to take nutria during closed season (these permits are issued with the consent of the Enforcement Division after the individual is checked out); and the trapping season has been extended (1990) which

amounted to an additional 20,000 nutria being taken last season but was still the lowest year for fur harvest on record. The department supported and sponsored Act 552 which was passed by the 1990 legislature. This legislation was the Nutria Cost Share Incentive Program. The guts of the program is an incentive of \$1.00 which will be paid to the trappers for each nutria that is taken and sold from nutria damaged areas throughout the state. The \$1.00 that will be paid to the trappers will be paid one-half by the state with funding from the Coastal Wetlands Restoration Fund and one-half by the landowners. For this coming year \$50,000 from the Coastal Wetlands Restoration Fund has been approved. The program is implemented in full and the landowners match this, which would be another \$50,000 which translates into 100,000 additional nutria being harvested from nutria damaged areas. Act 552 also authorizes the Secretary of the department to promulgate rules and regulations through the Administrative Procedure Act to implement this program. It authorizes the Secretary to enter into agreements with landowners, where documented nutria damage is occurring, and also authorizes him to administer the program statewide. Mr. Prickett pointed out that in the packet that the Commissioners have there is an application which landowners will fill out and submit to the department applying to enroll in the program. A Fur and Refuge Division biologist will go out and investigate the application to document if there is actually nutria damage and if this is the case it will be recommended to the Secretary that he enter into an agreement with the landowner. The agreement will spell out, very clearly, the areas of nutria damage and what the department will do which will be supervise the trapping activities and pay fifty cents of the one dollar incentive. It also outlines what the landowner will do which will be to pay the other fifty cents and keep accurate records on the number of animals taken from the nutria damaged area. Also in the packet are some rule that are being proposed which have not been accepted yet along with a resolution asking the Commission to approve the Secretary to promulgate rules through the Administrative Procedure Act to get this program into full force during the 1991 trapping season concluded Mr. Prickett. Chairman Jenkins asked if there were any questions.

Mr. McCall asked if there was any specific time that the animals have to be trapped. The animals have to be trapped during the open legal trapping season which would include any extension that the Secretary is already authorized to implement if it becomes necessary answered Mr. Prickett. Mr. McCall reiterated that the state gives fifty cents towards the pelt and the landowner gives another fifty cents making a total of one dollar. Mr. Prickett stated that was right and the trapper must sell the pelts and the program is strictly for animals that are harvested and entered into commerce. This is to keep people from going out and just simply shooting nutria to try and get the one dollar. This is an incentive to encourage people to legally trap in areas where there is damage so the animals taken have to be entered into commerce and

the pelts have to be sold. Chairman Jenkins asked if Mr. Prickett thought that the incentive would make a difference. Mr. Prickett advised that in certain areas it will. The trappers have indicated that the prices in southeast Louisiana and south central Louisiana where most of the damage is occurring are considerably less than the price paid for nutria in the western part of the state. Last year the price average about \$2.75 a pelt so there was very little trapping activity. The additional dollar incentive, the department is told, will make the difference between whether they will actually go into the marsh and trap or stay at the house. This will also give the trappers the incentive to key their trapping efforts on the areas where there are over populations of nutria and marsh damage. Chairman Jenkins asked if there was any alternative if no one elects to trap the nutria. Mr. Prickett stated that the "key" as explained in great detail two years ago is an incentive through the legal trapping program. Trappers are needed in the marsh to trap and the only thing that is really going to turn this around in a big way is for the trapping industry or fur market to rebound which is showing some small signs that this may be occurring now commented Mr. Prickett. Any other type of program would strictly be a bounty type program. A lot of areas are suffering from nutria damage now and this program will address this problem and address it specifically in the areas where the nutria are actually damaging habitat. This is strictly aimed at the marsh and wetland habitats and for this reason the Governor's Office of Coastal Restoration has endorsed the program and are willing to fund it at the \$50,000 level this year advised Mr. Prickett. If the program works, is fully implemented and is doing some good the department will probably recommend that the program be expanded. Mr. Pol asked about the big landowners like Miami, Louisiana Land and Chevron, have they agreed to this. Mr. Prickett answered yes, the landowners are very much in support of this program because they are wanting to address the nutria damage problem and the marsh is worth money to them in the form of trapping revenue, hunting leases, etc. Anything that they can do to keep their marsh from deteriorating is very much to their advantage and they fully support the program pointed out Mr. Prickett.

Chairman Jenkins called for more questions. There being none he asked Mr. Prickett to read the "Therefore Be It Resolved" portion of the resolution. Mr. Prickett concurred. Chairman Jenkins called for a motion on the resolution. A motion was made by Mr. Pol to accept the resolution Nutria Cost Share Program. The motion was seconded by Captain Vujnovich and passed unanimously.

(The full text of the resolution
is made a part of the record)

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
NUTRIA COST SHARE PROGRAM

WHEREAS, reduced trapping efforts because of low fur prices has resulted in this overabundance of nutria; and

WHEREAS, overpopulation of nutria in certain areas of Louisiana are contributing to the loss of Louisiana' valuable wetlands; and

WHEREAS, Act 552 enacted by the 1990 Regular Session of the Legislature provide for a cash incentive for nutria taken from damaged areas; and

WHEREAS, this same legislation authorizes the Secretary of the Department of Wildlife and Fisheries to promulgate rules for the administration of the nutria cost share program in accordance with the Administrative Procedures Act; and now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby give notice of intent to establish rules for the Nutria Cost Share Program.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate these rules, including but not limited to the filing of the Fiscal and Economical Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

A. Kell McInnis, III
Acting Secretary

James H. Jenkins, Jr.
Chairman

Mr. Hugh Bateman presented the 1991-92 Resident Game Hunting Seasons for Ratification. Mr. Bateman advised that the original notice of intent on resident game hunting seasons for 1991-92 was presented to the Commission on March 7th, 1991, and the rule is now ready to be ratified. Since March 7th various comments have been received regarding changes to the original recommendations. Corrections and omissions that were needed have been incorporated into the original documents. At the last Commission meeting on June 6th these corrections to the original notice were presented along with some changes that were recommended by the staff. Most of the important changes were related to the extensive and lengthy flooding that has affected most of the state. Commissioner Pol, at the last meeting, suggested that the staff go back and meet with the Commission's Regulations Committee prior to this meeting and provide some direction on the changes that were brought before the Commission at the June meeting. This has been done and a meeting

was held on July 2nd with approved changes provided to the Commission by fax or mail the next day. Mr. Bateman proceeded to give the following summary of recommended changes for resident game.

Deer

Area 1 Move that portion of Avoyelles Parish between LA Hwy. 1 and the Red River into Area 1. Previously in Area 6. (This was requested by the local District Supervisor and was approved by the Hunting Regulations Committee)

Area 2 Shorten the last segment (with or without dogs by 4 days. Season will close on Jan. 1 instead of Jan. 5. Would be composed of 61 days instead of 65 days as in original notice.

Rapides Parish: That portion lying south of LA 112 between I-49 and U.S. 165 has been removed from still hunting only zone. This area will now have the same season on Area 2 and include dog hunting opportunity.

Turkey

Area C shall be closed during the 1992 turkey season because of flooding. This action will encompass some private lands as well as the Russell Sage and Ouachita WMAs. (This was a request from the District II Supervisor in Monroe)

WMAs

Big Lake, Boeuf and Saline - Either-sex hunting eliminated including archery and muzzleloader. Buck segment reduced to three days (Nov. 29-Dec. 1) and will require self-clearing permit.

Georgia Pacific, Ouachita and Russell Sage - Either-sex season reduced from 3 to 2 days and a similar reduction in bucks only hunting. (In response to the very sever flooding, displacement of animals, etc. the District Supervisor thought needed to be taken into consideration)

Thistlewaite - Implementation of an experimental lottery hunt to control hunter numbers. (Applications for the hunt should be available by July 15 and will be in all the District Offices/A \$5.00 application fee for processing the application is being requested)

Bayou Macon (new acquisition) - established hunting seasons.

Deer: Archery - Same as outside

Gun: Nov. 29-Dec. 1 - bucks only

Muzzleloader: Dec. 2-4 - bucks only

Dec. 5-6 - either-sex

Small Game: Same as outside

Mr. Bateman advised that these were the major items that were discussed with the Hunting Regulations Committee on July 2 and are now incorporated in the final rule. Continuing Mr. Bateman went through the Summary of the 1991-92 Resident Game Hunting Season Dates and Bag Limits. Chairman Jenkins asked Mr. Bateman if these dates that he just gave incorporated the summary of recommended changes. Mr. Bateman answered that was correct. Chairman Jenkins suggested that they discuss first the summary of recommended changes one at a time.

Chairman Jenkins called for discussion from the Commission and audience on the following changes.

Deer - Area I - Rapides Parish - There were no comments on this change.

Deer - Area II - Shorten the last segment - Comments were received from audience and Commission.

Mr. Charles Womack addressed the Commission and stated that he just wanted to know what the thinking was behind cutting that four days. Mr. Bateman explained that if he is not mistaken he thinks it is essentially the same as it was last year and believes Area 2 closed on January 1 of last year. Mr. Jones stated that the thinking on this was the fact that through a number of people's hard work, including Mr. Womack, on the conflict resolution committee concerning deer dog and still hunting these days were added hoping that through the committee's recommendations that they have the opportunity that the legislature pass the deer trespass law which came from the conflict resolution, which it did not, so this was the original staff's recommendation. Mr. Womack asked Mr. Jones if what he is saying is that this was something to promote the ideas that would come out of the advisory committee and since that did not come into being the four days were cut back out, was this Mr. Jones thinking. Mr. Jones stated that this may not be the exact thinking. This was the original Game's Division request and the other four days were an extension of the normal traditional season in that area. It has not changed it has just remained the same. Mr. Womack stated that his question had nothing to do with the past, it was why it was cut back. Mr. Jones commented that the intent was to hope that through this great conflict resolution committee that the legislation pass. There was a lot of work on both the part of the still hunters, dog hunters, landowners, department, Joe McPherson and many more trying to resolve this problem so that both user groups as they are traditionally known in the State of Louisiana could be preserved. There is a major conflict out there which was the reason the committee was formed. Mr. Jones stated that he hopes next year they can go on and make this work so that the fact can be insured that dog hunting is not eliminated and insure the fact that the landowner will have the

opportunity to prosecute people that maliciously and intentionally infringe on his privacy and his land.

Chairman Jenkins commented that he thinks it is a shame that when the people who are actually involved in this conflict can get together and spend as much time as they did and actually work out a solution to the problem that some person at the capitol, just in ten minutes, can wipe out a year's work not paying any attention to the people who were involved in the process. Hopefully next year they will listen to the people who are involved in the process.

Mr. Womack commented that he believes he is now being punished because the four days were cut from the letter of intent and it was not cut from anyone else and this bothers him.

Deer - Rapides Parish - Portion removed - Comments were received from the Commission and audience.

Mr. Jones stated that as he understood through the Hunting Rules Committee meeting that this issue was not resolved. Mr. Bateman advised that was correct. Mr. Jones commented that this did not come from the committee as a recommended change. Chairman Jenkins stated that he listened very closely and Mr. Bateman said that the first two items were approved by the committee but failed to say it on the second one. Mr. Bateman explained that the committee very carefully, and rightly so, withheld a commitment on this particular item pending some other information that was suppose to have been available. Mr. Jones stated that it is his understanding that this is not the request of the District Supervisor. Mr. Bateman answered that was correct. Mr. Jones advised that he would like to uphold what the District Supervisor would like to do and would eliminate this as a suggested change for the hunting regulations.

Acting Secretary McInnis commented that this was an area that was very closely looked at and was discussed in the Hunting Regulations Committee and before the Commission on a number of occasions. There is no clear cut one yes or no answer on this particular issue. It is one issue that representatives from the area have come to the department and expressed some concern about. People from both sides have expressed their interest. Last year Senator McPherson came before the Commission and made what he thought would be a resolution to the situation. A larger area was taken out of the original proposal which included the area above 112, below Alexandria between the two highways. This portion still remains in the still hunting only arena. The area is a watershed for Lake Cocodrie and in the southern part of the parish is something that should be taken into consideration as an opportunity for the dog hunting in that area. In meeting with representatives from that area, including Senator McPherson and Representative Dewitt, this is something that they felt strongly about and felt that their

constituencies contacted them because of the efforts that had been made to the Commission previously which did not receive favorable attention advised Acting Secretary McInnis. Senator McPherson made a good presentation to the Commission about what he wanted, what he suggested and why. Acting Secretary urged the Commission to take this into consideration as the local people do have a tendency to talk to their representatives more than they talk to the department and Commission.

Mr. Morris Jones, Glenmore, Louisiana, South Rapides Parish, addressed the Commission. Mr. Jones stated that last year somewhere between thirty and forty landowners, in that area, wrote to the department and asked them to survey this area and recommend it for still hunting. This was done, it was brought before the Commission and it was voted to be a still hunting area. Since this has been a still hunting area there are five hunting clubs there with most of the private property leased. Mr. Jones asked where are they going to run their dogs as there is no place for them to run but yet they still want to run them. The hunting clubs have got around fourteen thousand acres, just where Mr. Jones lives. Dogs cannot run on a five thousand acre lease, you have got to have something like twenty thousand acres to contain a dog running a deer advised Mr. Jones and would appreciate the Commission thinking about this before they make their decision.

Acting Secretary McInnis asked Mr. Jones if he had any idea how many acres are involved in this area. Mr. Jones answered, no sir, not really. Mr. Bateman stated about fifty-sixty thousand. Acting Secretary McInnis asked how many acres did Mr. Jones indicate were leased. Mr. Jones stated something like fourteen thousand that he knows of, plus the privately owned land also. Mr. Jones stated he would like to know the reason for changing this back. Mr. Pol commented that he thinks the reason is, Kell made it clear, that Dewitt and McPherson put some political pressure. Acting Secretary McInnis stated that was not true. Mr. Pol commented it sounded like that is what you are say. Mr. Jones commented that was what it sounds like to him. Acting Secretary McInnis stated that there was an employee from the office who presented to us, through the District Manager, information that the landowners in that area wanted to make the change. The information that has been presented to us is not in agreement at this point and there are some who would like to have the option to hunt with or without dogs. What Mr. Jones is saying right now is that thirty six thousand acres is not leased, fourteen thousand acres are, and of those Mr. Jones thinks the smaller percentage needs to take control of the whole area stated Acting Secretary McInnis. This is the Commission's choice. Mr. Jones advised that he does not know what the real acreage is. Acting Secretary McInnis stated that the information that was presented was that the major landowners did not want with the still hunting only. Mr. Pol asked if this was the item where letters were suppose to be received from the major landowners and have they being received. Acting Secretary McInnis stated that

was correct but have not gotten them. Mr. Pol asked why not, they were asked for at the committee meeting. Acting Secretary McInnis advised that he asked for them and Mr. Dewitt indicated that he would have them faxed and in the last five days of the session he neglected to check back with Dewitt. Mr. Pol commented that they had received information that the major landowners did not agree with this and all he wants to see are the letters. Chairman Jenkins asked if the Hunting Regulations Committee had a recommendation on this item. Mr. Bateman stated that they held a decision in abeyance until today to see what developed in the way of public discussion and further study of this item. Mr. Jones advised that at the committee meeting they did not suggest a recommended change, nothing was suggested. After further discussion it was further determined that the letters were never received or if they had been nobody could find them. Chairman Jenkins called for further discussion.

Mr. Jones made a motion that this not be a recommended change. Mr. Jones stated that he hated that Senator McPherson was in strong support of this because he has been a friend of the department and is a friend of the department but in his mind he does not see that this change needs to be made. Mr. Pol seconded the motion. Mr. Bateman stated that he wanted to point out that he agreed with what Mr. Jones said, that Senator McPherson has tried to help the department and it was his load to carry the dog bills that were in the legislature which was not a easy task to undertake. In fairness to Senator McPherson one of his main concerns was not perhaps the specific issue of whether you use dogs or not, but perhaps the way the department went about actually instituting this change two years ago to a still hunting area. The department has made note of this and Mr. Bateman has stressed to his staff that when changes are made from a traditional area that was one way that they need to be very careful and that public support is needed. Chairman Jenkins asked Mr. Bateman didn't the department have request from the landowners that year to make the change. Mr. Bateman answered, that they did and he guesses this is what participated this most recent letter question. Acting Secretary McInnis and Mr. Bateman were told that there were letters in hand that withdrew major landowners support for a still hunting area. Chairman Jenkins stated that they had the support when they did this before and believes that they acted in good faith. They may or may not have the support to do opposite right now but do not really know and unfortunately the Commission has to act on this right now commented Chairman Jenkins. Chairman Jenkins asked if anybody else wanted to talk on the subject. Acting Secretary McInnis stated that he was a little concerned and the only reason Senator McPherson was not here today was that Acting Secretary McInnis thought they had this information in hand. This is why Senator McPherson is not here before the Commission playing his own case. Acting Secretary McInnis impression was that the letters had been faxed and he assumed that they were in the office and did not ask physically for them until this morning. Acting Secretary

stated that it is his understanding that if these letters were in fact accurate it was something that the Commission would give due consideration. Chairman Jenkins advised that they could skip this right now if Acting Secretary McInnis wanted someone to look for the letters. Acting Secretary McInnis stated that they have left messages everywhere they could and if these letters are not available he certainly would withdrawn any support to this but believes they are. Mr. Bateman stated that they have heard comments over the last few days that the letters were not in fact present. Chairman Jenkins commented that he has heard the same thing and called for a vote on the motion by Mr. Jones. The motion passed unanimously.

Turkey - Area C Closed - Comments were received from the Commission.

Mr. Jones commented that there might be some significant hatch problems throughout the state this year because of the rainfall and the flooding conditions and this may be the first turn of some restoration type approaches that the Game Division might suggest. There is a need to manage for the betterment of the wild turkey and Mr. Jones thinks that aggressive steps have been taken in doing so. The closing of Area C is one of them. Mr. Bateman informed the Commission that Area C was proposed for enlargement this year for the first year of hunting and this was another reason for not opening the area because there was a whole new contingent of acres that had been stocked not to long ago that endured the flooding.

Wildlife Management Areas - Big Lake, Boeuf and Saline - Comments were received from the Commission and audience.

Mr. Jones stated that he has some concerns about this in that he feels like they are going away from the best management of the resource and continue in this situation to move away from the biology of this issue. Mr. Jones stated that he found a study from outside biologists as of January 1991 that stated the number one recommendation was do not attempt to increase the deer population by eliminating or curtailing either-sex hunting. Mr. Pol asked Mr. Jones who made the study. Mr. Jones answered that the study was done by Lowell Halls and Daniel Laye from Texas. Mr. Bateman advised that they both reside in Texas at the present time and between them they probably have sixty years of field experience. Mr. Pol asked who commissioned them to make the study. Mr. Bateman advised that they did at the request of the people who were suggesting that there were no deer on the area, etc. These two gentlemen are both retired and do this on a consulting basis. The department had them look at Big Lake and Boeuf and had them determine if any, what kind of deer problems there were. Mr. Pol asked if the department commissioned the study, and if it is the department's recommendation, why is it recommended now that it be done differently. Mr. Bateman stated that a lot of the things done are not pure biology and you are either tricked or mystified to

believe that every recommendation that is ever made from the staff is purely biological, it is not. Sometimes you have to take into consideration people problems, public relations problems. You need to take these kinds of problems into consideration when you are dealing with people as well as wildlife issues. Mr. Bateman advised that they did not like the public bashing that the biological staff has taken for the last three months, both in the legislature and in public, about what the department is doing on these areas. Our recommendation was an attempt to solve the public relations problem and there are no intentions of getting away from the proper way to manage deer which is either-sex hunting when you have hunting commented Mr. Bateman. Mr. Bateman pointed out that the Deer Advisory Committee made some substantial recommendations to the board that were not based on biology. They changed deer seasons based on the true user groups that were trying to resolve their problems so therefore we ended up with about eight or nine days in some cases more hunting than the Game Division staff had recommended but did not object to this because it moved us in a direction of solving this never ending squabble between the people that hunt stated Mr. Bateman. If a decision can be made that resolves problems and does not in the long term undo the efforts to manage resources Mr. Bateman submits to them that this is the correct decision to make at times. It is felt like the recommendation is probably not what the department would have made were it not for all the public concern and the flooding that occurred on these areas this past spring. The original recommendation would have been made that was given in March which was to reduce the either-sex hunting from two days to one day. The recommendation in March was made before much of the public comments and criticism started to occur and what you find yourself with is the recommendation that you have in front of you today stated Mr. Bateman. This is a one year attempt to resolve the public relations problems then get back into the deer management business in 1992-93. Acting Secretary McInnis added that the report that Mr. Jones referred to was done in January which was prior to the weather condition changes and the flooding. Mr. Jones suggested that they go back to the original recommendation which was that the number of either-sex days be reduced from two to one which will reduce the kill at least by forty percent and will address the social issue of needing more deer. It will still fall within the guidelines that the biology that you need to have either-sex hunting days if you are going to open deer hunting season. What needs to be done is to do a better job of educating the local area that this deer herd is not in distress as they may think, local things like thinning out certain areas of timber to increase the carrying capacity. Mr. Bateman stated that if there is a one day either-sex hunt on those three areas they would also request that the self-clearing permit be done away with and go to a check-in and check-out system to count every man and every deer. Mr. Jones stated that he agreed. Chairman Jenkins asked if anyone from the audience wanted to address this.

Mr. Richard Daigre, Alexandria, LA, Attorney representing the Louisiana Wildlife Management Association addressed the Commission. Mr. Daigre stated that he was not sure of what to say. They have made several trips to Baton Rouge to attend meetings. There organization is somewhere in the eleven thousand or eleven thousand three hundred members and the membership are the individuals that actually hunt on these wildlife management areas. The first time the Commission was approached the group asked them to take something away from them, to simply reduce the number of eligible days that they had to hunt on the areas because they felt through their experience that it was not carrying the population. Mr. Bateman seems to think we are on a biology bashing which is not the case all stated Mr. Daigre. There has been no biological work done in this area. It is primarily because of the financial constraints commented Mr. Daigre and he understand this. In the Saline Wildlife Management Area there were no check-out stations, yet Mr. Bateman is quoted in the Louisiana Sportsman saying it was the finest deer hunting take in the Saline area in its history which is not the case. He is also quoted in the same article as stating there were no check-out stations and the material and data was incomplete. Mr. Daigre pointed out that the data of the users is very complete, they logged hard hours hunting animals and say they are not there and Mr. Daigre is not really sure the reason for the conflict. They are simply asking to have something taken away and not give them anything. It is known for a fact that the browse studies for this year were not conducted because of the flooding, yet staff is making recommendations such as continuing the deer season which was the first recommendation and at the committee meeting on July 2nd the recommendation was to close it for the doe days and make the reduction to two or three buck days and today there is another recommendation. The group is asking the Commission and department to do their job which is to manage wildlife and they will assist in any way. Concluding, Mr. Daigre asked the Commission and department to reconsider the Louisiana Wildlife Management Association's original request, which has been modified, which was to close the three management areas for antlerless deer taking until a determination can be made as to what is there, a formal management plan for the area be designed and control the number of hunters that use it. Other alternatives can be used to accomplish the Association's goals but chose not to use them unless the Commission and department make them concluded Mr. Daigre.

Mr. Randy Lanctot, Louisiana Wildlife Federation, addressed the Commission. Mr. Lanctot commented that on this issue there is some concern to the Federation that one particular user group may come before the Commission and threaten lawsuits and generate political pressure through the legislature to get a particular point of view across to the point where the Commission is actually making decisions against its best judgment which is not the best way to accomplish things. These wildlife management areas are owned or held in trust by the department for the benefit of all the people

in the state and not just those people that live adjacent to them or use them most of the time. The Federation is certainly concerned over the status of the deer population and other wildlife resources on these areas, however, they don't think that the department ought to bow to exorbitant political pressure in making decisions against its best judgment and the information it has from its trained biologists. However, the Federation also has some problems with the department and perhaps with the Commission on the way some of the wildlife management areas are managed or more accurately not managed. The absence of management plans that involve the public and their development, the absence of better of record keeping, check-in, check-out systems, etc. are all of concern to the Federation. Mr. Lanctot advised that he in general agrees with Mr. Jones' statements and what he has to say on this particular issue but would suggest that in general this be supported perhaps with the exception of using one wildlife management area as an experiment to not hold a doe season this year and measure the results of this but not burden the rest of the citizens of the state that use the wildlife management areas who like to go and hunt a deer and harvest a doe. Concluding, Mr. Lanctot stated that in general they support the recommendations of the biologists to reduce the doe season but not to eliminate it and to manage these wildlife management areas on behalf of all the citizens of the state that would enjoy their use.

Chairman Jenkins asked Mr. Lanctot if he would support going from two to one. Mr. Lanctot stated yes, with a possible consideration of taking one wildlife management area and doing an experiment and maybe no deer hunting at all, which is awful extreme, sometimes things like this need to be done to prove a point even though you would not want to apply this kind of management on a larger scale. Mr. Pol asked Mr. Lanctot how many members did the Wildlife Federation have. Mr. Lanctot answered twelve thousand. Chairman Jenkins asked Mr. Puckett if he had any advice for them. Acting Secretary McInnis advised that for the Commission's benefit there were two concurrent resolutions passed, House and Senate, through the legislative session which indicated that this was direction to the department originally, and subsequently to the Commission, to suspend the seasons on these areas and also Sicily Island management area. This does not suspend the law, it directs the Commission and/or department to suspend the season in those areas and Acting Secretary McInnis has some concern as to the effectiveness of the wording of the resolutions and asked Mr. Puckett to please advise on this. Mr. Puckett advised that these resolutions basically directs the department or Commission to take certain actions with regard to the season. This is continuing to be researched and Mr. Puckett's initial impression is that the legislature does not have the authority to direct an executive branch agency to take a certain action because of certain constitutional problems. Acting Secretary McInnis asked what the procedure would be to test this. Mr. Puckett stated that there would be a number of procedures; one procedure would be to ignore

it and proceed. Chairman Jenkins stated that his limited experience with this is that this is not the first time, it has happened a number of times. Mr. Puckett commented that it is not a statutory mandate.

Chairman Jenkins asked if anyone else had any comments. There being none he asked if Mr. Jones wanted to make a motion. Mr. Jones made the motion that they go back to the original recommendation for these areas, reduce the number of either-sex hunting days in the wildlife management area from two to one. Chairman Jenkins asked Mr. Bateman if he wanted to add anything to this. Mr. Bateman answered no, but believes they have the dates ready to change if they vote to approve the change which would be included in the final recommendations. Mr. Morrison advised that if they go this route Mr. Reggie Wycoff, District Supervisor, District IV, would like to take the bucks only season and reduce it from the original recommendation of thirteen days to nine days. By doing this it will effect some changes on Red River and Three Rivers to reflect the same season so that the season dates are uniform. Giving an example Mr. Morrison explained that the Big Lake Deer Season would be November 29, either-sex, daily permit, check-in/check-out, bucks only would be November 30 through December 1, reopen the Saturday after Christmas on December 28 and run through January 5 which would be a nine day bucks only; Bouef would be November 29, either-sex, daily permit, November 30 through December 1 and December 21 through January 1 bucks only. Other changes that would be reflected would be Red River would be November 29, either-sex, daily permit, November 30 through December 1 and December 28 through January 5 bucks only. Saline would have a Youth Hunt which would be November 16-17 for either-sex, deer season for modern firearms would be November 29 either-sex, November 30 through December 1 bucks only and December 28 through January 5 bucks only. Sicily Island would be November 29 for either-sex, bucks only would be November 30 through December 1 and December 21 through January 1 would be identical to the Boeuf season. Three Rivers would be identical to Red River, Saline and all the areas with November 29 either-sex, November 30 through December 1 and December 28 through January 5 bucks only. These dates incorporate what is being requested, going back to a one day of either-sex. The above dates were incorporated into Mr. Jones' motion. The motion was seconded by Mr. Pol and passed unanimously.

WMAs - Georgia Pacific, Ouachita and Russell Sage. No comments from the Commission or audience.

WMAs - Thistlethwaite - Lottery System. Comments were received from the Commission.

Mr. Jones commented that this is new and something that the department has not done, to his knowledge, and will take a lot of work.

WMAs - Bayou Macon (new acquisition). No comments were received from the Commission or audience.

Chairman Jenkins suggested that a motion be made to accept the dates discussed with the recommended changes that were voted on. Mr. Jones made a motion that the Commission adopt the resolution on the hunting seasons and the dates discussed with the recommended changes.

(The full text of the resolution
is made a part of the record)

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
July 9, 1991

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES
COMMISSION AT ITS REGULAR MEETING HELD AT BATON ROUGE, LOUISIANA,
JULY 9, 1991.

WHEREAS, it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting season for resident game birds and quadrupeds, and

WHEREAS, authority to establish season, bag limits, possession limits and other rules and regulations for hunting, taking and possession of any species of wild game birds or quadrupeds is vested in the Commission by R.S. 56:115, and

WHEREAS, this action will provide for the protection and conservation of these natural resources and allow for recreational opportunities for sport hunting on both public and private lands, and

WHEREAS, the Commission and Department staff have jointly reviewed and considered all available biological information and requests from sportsmen of the state, now

THEREFORE BE IT RESOLVED, that the attached rules and regulations, season, dates, and bag limits affecting sport hunting or resident game species are hereby ratified by the Louisiana Wildlife and Fisheries Commission, and

BE IT FURTHER RESOLVED, the Secretary is directed to follow all applicable statutes and administrative procedures where setting the opening and closing dates and that the Commission be notified of any action.

James H. Jenkins, Jr. Chairman
LA Wildlife & Fisheries Comm.

A. Kell McInnis III
Acting Secretary, LA Dept. of
Wildlife and Fisheries

(The full text of the rule is
made a part of the record)

RULE
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

In accordance with the Notice of Intent published in the March 1991 Louisiana Register, the Louisiana Wildlife and Fisheries Commission, at its regular monthly meeting in July hereby ratifies regulations on opening hunting season dates, bag limit, methods of taking, and rules and regulations on Department operated wildlife management areas for the period of October 1, 1991-May 15, 1992. Authority to establish regulations is vested in the Commission by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950.

SUMMARY OF 1991-92 RESIDENT GAME HUNTING SEASON
DATES AND BAG LIMITS

Quail:	Nov. 28-Feb. 29 - Daily Bag Limit 10, Possession 20
Pheasant:	Nov. 28-Dec. 8 (Cock Pheasant Only) - Daily Bag Limit 2, Possession 4
Squirrel:	Oct. 5-Jan. 26 - Daily Bag Limit 8, Possession 16
Rabbit:	Oct. 5-Feb. 29 - Daily Bag Limit 8, Possession 16
Deer:	Dates Vary - See Schedule Below - Bag Limit: One per day, 6 per season
Archery:	Oct. 1-Jan. 20
Muzzleloader:	Dec. 2-6

<u>Area 1 - 59 Days</u>	<u>Days</u>
Nov. 23-Dec. 1	9 (still hunt only)
Dec. 2-6	5 (still hunt, muzzleloader only)
Dec. 7-Jan. 2	27 (with or without dogs)

Jan. 3-20 18 (still hunt only)

59

Area 2 - 61 days

Days

Nov. 2-Dec. 1 30 (still hunt only)

Dec. 2-6 5 (still hunt, muzzleloader only)

Dec. 7-Jan. 1 26 (with or without dogs)

61

Area 3 - 61 days

Days

Nov. 2-Dec. 1 30 (still hunt only)

Dec. 2-6 5 (still hunt, muzzleloader only)

Dec. 7-Jan. 1 26 (still hunt only)

61

Area 4 - 44 days

Days

Nov. 23-Dec. 1 9 (still hunt only)

Dec. 2-6 5 (still hunt, muzzleloader only)

Dec. 7-Jan. 5 30 (still hunt only)

44

Area 5 - 14 days

Days

Nov. 23-Dec. 1 9 (still hunt only)

Dec. 2-6 5 (still hunt, muzzleloader only)

14

Area 6 - 58 days (NEW AREA)

Nov. 23-Dec. 1 9 (still hunt only)

Dec. 2-6 5 (still hunt, muzzleloader only)

Dec. 7-Jan. 19 44 (with or without dogs)

58

Turkey - Season Dates Vary - See Schedule Below - Limit: One per day, 3 per season

<u>Area A</u>	<u>Days</u>
March 28-April 26	30

<u>Area B</u>	
March 21-April 26	36

Area C - CLOSED

<u>Area D</u>	
April 11 -April 26	16

CITATION: None - Changes annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 17: (1991).

James H. Jenkins, Jr.
Chairman

Mr. Don Dubac, St. Tammany Parish, advised that he would like to make a statement pertaining to the deer hunting season. Mr. Dubac advised that at the last meeting he represented seven hunting clubs and make a formal request to include an area of St. Tammany Parish into Area 6 that was originally scheduled to be in Area 1. Since there were no recommended changes on this Mr. Dubac stated that he assumes that this request was denied and would like to know what the reason was. Mr. Bateman advised that this was discussed, at length, at the July 2nd Regulations Committee meeting and the District Supervisor from District VII recommended that this change not be made because there were people on both sides of the issues. The committee stuck with this and this is the reason stated Mr. Bateman. Mr. Dubac commented that he would like to find out who the opposition was because as was included in the packet there were letters of no objection from the governing body (police jury), and St. Tammany Parish Sheriff's Office and also discussion with some enforcement people where there were no problems as far as conflicts. Mr. Dubac pointed out that he had heard Mr. Bateman state a little earlier that he felt like the right decision was made if a particular user group could be satisfied and stay within the bounds of biology and in this case Mr. Dubac does not really understand why this would not be the right case for that particular area to be included in Area 6. Mr. Bateman informed Mr. Dubac that a lot of times the public submits a request for something to be done and the perception is that maybe we don't pay any attention to it or we don't follow-up and try to find out what is really going on out there away from the Baton Rouge Office. In this particular case we did advised Mr. Bateman and information from the

enforcement people indicated that they were diametrically opposed to it. Mr. Bateman pointed out that if you dig into issues you will find out there are almost as many people in those same organizations that will tell you they did something because one guy asked them to which leaves the department and staff always in a quandary as to what kind of decision you make in these thing. It was chosen to leave that decision to an advisory committee who worked for four or five months with representatives on both sides of the issue and they worked out the boundaries for the area. The District Supervisor felt that it was his responsibility to stick with this. Mr. Don Dubac commented that he knows the Commission does not enjoy legislators getting involved in Wildlife and Fisheries issues and he certainly is not a believer in this himself but think you can probably see some of the frustration that moves people to turn to their legislators, particular in this case. This is not going to affect, to their knowledge, anyone pointed out Mr. Dubac and they have got letters backing what the contention was, have no conflicts, if there were why didn't the people respond. The sixty thousand acres are properly posted, fenced and there is no open hunting, strictly hunting clubs who prefer to deer hunt with dogs. The areas are more in continuance with what you find in some of the other areas that are included in Area 6 and are very difficult to still hunt. It is felt that dog hunting in these areas would be the proper way to go. Deer hunters and hunters will be lost over this issue and there are people in those areas that will not renew those leases and not rejoin the hunting clubs. Success ratio of still hunting is very small. Some of these people will be lost to Mississippi. Mr. Dubac pointed out that there is a big deer hunting show that is coming to New Orleans this weekend and he spoke with the promoter of the show. This is the first time that they (Texas Trophy Hunters Association) have been in Louisiana and was bringing it to Louisiana because the research that was found in Texas was that the largest visitors and non-resident hunters were from the State of Louisiana and they were going to get more of them. With these things happening more of the Louisiana hunters are going to go to Texas, Mississippi and Alabama which they are doing now stated Mr. Dubac. Chairman Jenkins asked why do they go to Texas. Mr. Dubac answered that the hunting is better and for the amount of money they would spend on a lease, their success ratio on still hunting on some of the area close to home are not worth it.

Mr. Warren King addressed the Commission. Mr. King served on the Deer Advisory Committee. Mr. King feels like the Commission has a problem with the legislature or the legislature has a problem with the Commission. This came through loud and strong during the session and a lot of Wildlife Commission bashing was done at the hearings. This concerns Mr. King. Social issues are causing a problem, still hunting/dog hunting question, etc. These conflicts will hurt hunting and fishing in Louisiana in the future if they are not resolved. The legislature needs to be enlightened as to what the needs and requirements are to adequately run the state

because there is not any simple solution. Looking at the demographics there are a lot more people that don't hunt than do hunt and something that can promote it positively within the state needs to be devised. Mr. King thinks Mr. Wade Byrd did a good job on the Deer Advisory Committee and was glad to see the Commission go along with a very reasonable attitude on the hunting seasons this year and thinks this is a good foot forward. There is room to do some more in the future concluded Mr. King. Chairman Jenkins stated that he agreed with Mr. King on a lot of comments that he made, and there is a problem. An educational process is needed. The Commission and department have got to do the best they can and this is what they are going to keep on going. Mr. Jones stated that he agrees and an educational process is needed to go out and publicly sell the Wildlife and Fisheries.

Mr. George Patterson, from Area 1, addressed the Commission. Mr. Patterson is a dog hunter and has been all his life. Mr. Patterson's family has been in this tradition for years and lease the Dixie Ranch Wildlife Management Area which is a little over thirteen thousand acres. There are five different clubs that surround the Dixie Ranch Wildlife Management Area and are all dog hunters. There is one still hunting club approximately twenty-two miles north called Money Hill Hunting Club. There are no problems and the dog hunters in the area manage their dogs. For one full year they tried still hunting in the area and lost all of their members; went back to dog hunting and leases built back up. Managing dogs is a good program. Mr. Patterson stated that he cannot see why they were put in an area where there was only twenty-seven days compared to Area 6 which has forty four days, with or without dogs.

The Recommended Season Dates for the 1991-92 Dove, Snipe, Woodcock, Rails and Gallinules were presented by Mr. Dave Morrison. Mr. Morrison advised that the Game Division has for Commission consideration the tentative dates for migratory birds, excluding waterfowl. Mr. Bateman just recently returned from Washington, D.C. where the Fish and Wildlife Service put forth the framework. The framework, bag limits and shooting hours are basically unchanged for snipe, rails and gallinules. This year in the regulatory process there was a major change in the framework with regard to woodcock. Typically September 1 through mid to late February has been the framework. This year the Fish and Wildlife Service has moved the end of the framework to January 31st. This change was made over the objections of Louisiana, Tennessee, the Mississippi Flyway Council, and the Mississippi TEC Session. Last year the Fish and Wildlife Service had asked that the flyway councils get together and make recommendations on this particular issue. The issue that went before them and the recommendation made by the flyway council was February 9th, however, the Fish and Wildlife Service chose not to accept that and made the end of the framework as January 31st. Mr. Morrison stated that the reason he has pointed this out is because this change is going to be

objectional to many Louisiana woodcock hunters because it is shortening their season which a lot of people believe is some of the prime time for woodcock hunting. The dates for woodcock being recommended is November 28th through January 31st with a bag limit of five. The framework for the dove is basically unchanged from last year and the staff recommends shooting hours to be the same as last year with the opening weekends being noon to sunset and all the other times being one-half hour before sunrise to sunset. In setting the dove season, the Fish and Wildlife give two options. One option would be a seventy day season, 12 bird limit, the other would be a sixty day season, fifteen bird option. It is the Commission's decision as to what option they would prefer to go with pointed out Mr. Morrison. The following are the recommended dates presented by Mr. Morrison.

SEASON RECOMMENDATIONS (1991-92)

<u>SPECIES</u>	<u>DATES</u>	<u>DAYS</u>	<u>BAG LIMIT</u>
Rails	Nov. 16-Jan. 20	66	15
Gallinules	Nov. 16-Jan. 20	66	15
Snipe	Nov. 9-Feb. 23	107	8
Woodcock	Nov. 28-Jan. 31	65	5

Shooting hours for rails, gallinules, snipe and woodcock shall be 1/2 hour before sunrise to sunset.

Doves:

Option A: (staff recommendation)

Sept. 7-Sept. 15	9	12
Oct. 19-Nov. 17	30	12
Dec. 7-Jan. 6	<u>31</u>	12
TOTAL	70	

Option B:	Sept. 7-Sept. 15	9	15
	Oct. 19-Nov. 10	23	15
	Dec. 7-Jan. 3	<u>28</u>	15
	TOTAL	60	

Shooting hours: 1/2 hour before sunrise to sunset EXCEPT on the opening weekend of each split (Sept. 7-8, Oct. 19-20, and Dec. 7-8) when shooting hours will be 12:00 noon to sunset.

Chairman Jenkins called for comments from the Commission. Mr. Pol stated that the only thing that worries him is that they are doing the same thing with the rails and gallinules. There is going to be a split season. Duck season supposedly opens on the sixteenth

of November and the season has to end by January 20th with hunting for only thirty days. This means that there will be splits and in the meantime everybody will be hunting ducks when they should be resting and coming in for the second split. There will be hunting straight through. Mr. Morrison advised, if he was not mistaken, there is a latitude to split the rail and gallinule season. However, because the state is divided into an east and west zone, regardless of how you split that zone you do not have that luxury with the rails and gallinules. There is no zone for rails and gallinules. The season can be split but only so that you would open it with the second split of either the east or west zone. Mr. Pol stated that the reason why it was moved from the recommended date of the 8th to the 16th was because they did not want people in the marsh hunting (shooting guns, etc.) before the duck season opened. Mr. Pol stated that he was only bringing this out because he thinks they are defeating their purpose and if this is the recommendation of the committee he will go along with it but there will be a big mess again because you are going to have people in the marsh hunting gallinules and killing ducks. Mr. Jones commented that Mr. Pol's thought process is that the major impact of the waterfowl and migratory game bird hunting is duck and goose hunting, especially duck hunting and agrees in the thought process. Mr. Pol stated that it is the ducks that are in trouble, not the rails and gallinules. Mr. Morrison stated that the rail and gallinule season can be split, but because historically there is a east and west zone for the duck season, these seasons cannot be split the same way so there will be some time that these seasons will be opened that prior to the duck season neither east or west zone reopening. Mr. Jones asked if Mr. Morrison was saying that you cannot zone the rail and gallinule seasons by statute. Mr. Morrison stated you cannot zone rails and gallinules, you can split the season but somewhere down the road the seasons will be opened preceding a duck season. Mr. Bateman pointed out that a state has the right to be more restrictive within the federal framework and advised that the department will look at the Federal Register and see what it says about splitting the rail and gallinule season. There is the possibility that the rail and gallinule seasons can be closed in between the splits of the waterfowl season. The department has never had to consider this before and were not even prepared for it stated Mr. Bateman.

Mr. Morrison pointed out that the other option was the dove season. Chairman Jenkins called for comments on the dove season. Mr. Pol stated that for a long time they have gone with the seventy days and twelve birds. Most everybody that Mr. Pol has talked with would like to have the sixty days and fifteen birds and according to some federal people the doves are starting to get into trouble also. Mr. Pol made a motion that the Commission accept Option B (60 days, 15 birds) for this year. The motion was seconded by Mr. McCall and passed unanimously.

While waiting for the final proposal to be prepared and presented on the season recommendations for migratory birds, except waterfowl, Mr. Morrison stated that there has been in the past a lot of questions, misinformation, etc. concerning Dove Baiting, what is legal and what is not legal and advised the Commission that Dr. Jim Fowler, with the Louisiana Cooperative extension Service was attending the meeting today and was going to address this issue. Dr. Fowler has worked in conjunction with the Fish and Wildlife Service, and Soil Conservation Service and they have put together an informational handout for hunters on this advised Mr. Morrison. Dr. Fowler advised that he is representing the Cooperative Extension Service and works as a Wildlife Specialist. One of the things that they have been involved the last eight to ten years were issues relating to migratory bird hunting on agriculture lands and what constitutes baiting. The federal regulations relating to baiting are complicated, are very difficult for individuals to understand and for the most part hinge very heavily on whether or not a practice is considered a normal agriculture practice or not. In the past Dr. Fowler has found himself in the position of being subpoenaed to Federal Court to testify as an expert witness, in some instances for the prosecution where as a county agent would be on the other side of the table testifying as an expert witness for the defendant. It was felt that it was imperative that the Cooperative Extension Service make it staff acutely aware of what really is involved in baiting regulations and what constitutes normal agriculture practices. County agents should not be giving recommendations to a farmer that is going to be in conflict with baiting regulations. The department has also been caught in the middle of this in several instances where state game agents have been involved in looking at fields, thought the fields were o.k. and then a case would be made against a hunting party. Dr. Fowler pointed out that the publication which he had just given to the Commissioners is an effort, by the Cooperative Extension Service and the U.S. Fish and Wildlife Service enforcement personnel, to develop a short, precise, handout information that will be distributed through the local County Agents offices for any farmers, landowners, or hunters who may be interested in leading what the regulations are and trying to understand the regulations. One reason for bringing this to the Commission is that there is something in the publication that is quite precise and involves the planting of wheat. In the past, many times hunters have hunted doves in September over wheat fields. A fairly bold approach was taken on this and was based primarily on research that had been conducted at LSU. The earliest date that the Cooperative Extension Service recommends planting wheat as a grain crop in Louisiana, regardless of what zone, is September 20th. This means that individuals who want to circumvent the federal regulations and prepare field and bait doves and then call them a wheat field may be, in some instances, in violation of the federal regulations. There are many considerations that have to be put into normal agriculture practices. The current 1990 Farm Bill deals with some of this with reference to set aside lands and

it complicates the issue further but is not in this particular publication pointed out Dr. Fowler. This publication does try to explain what is involved in the baiting regulations and tells those individuals that are interested in trying to manage for migratory bird hunting on their farms that the people to contact to consider whether or not an operation is a normal operation for planting or harvesting operation is their local County Agent. Concluding, Dr. Fowler advised that he would be glad to answer any questions.

Chairman Jenkins asked about the portion dealing with "the grain being scattered exclusively as a result of normal agricultural planting or harvesting; there can be no ulterior motive for scattering the grain" and wanted to know how you found out what the motive is. Dr. Fowler stated that this goes back to intent and is a judgment call that a person has to make themselves. Chairman Jenkins asked about people that plant crops, such as hunting clubs that will buy the crops and leave it in the field or even knock it down. Dr. Fowler stated it is perfectly legal. If the law simply stated that it was illegal to hunt over planted crops most of the exceptions to the rule could be eliminated pointed out Dr. Fowler. You could hunt over harvested crops, hunt over standing crops, and hunt over manipulated crops. You cannot hunt over manipulated crops for ducks and the law is not consistent between doves and ducks. In the case of doves you could plant a crop, grow it to maturity, manipulate that crop anyway you wanted and shoot doves over it but you cannot do that for ducks and this is the purpose of the publication commented Dr. Fowler. Mr. Jones stated that he finds it confusing at times and is still not sure that this publication irons it all out. This publication was out last year; this is not new information that Mr. Jones is receiving and he is still confused over the issue. Mr. Jones commented that it is o.k. to grow a crop and bait for doves as long as you bring a crop in, but it is not alright to bait for doves by planting wheat. Dr. Fowler stated that was correct. Mr. Jones stated that these contradict each other. Dr. Fowler advised that when you plant a crop for doves and grow it to maturity the federal regulations do not consider this baiting. Baiting is a deliberate distributing or scattering of grain, salt, or other material to attract doves; a wildlife planting is also an exception to the rule and is not considered a normal agriculture practice so a wildlife food plot could not be planted in September with wheat to shoot doves over. Other exceptions to the rule is the cow/calf operations which is a normal agriculture practice to get pastures ready anytime you can and a lot of time winter pastures are seeded as early as August or August 15th. The federal agents are not going to come in and make a case against somebody who does something that is a normal agriculture practice. The purpose of this publication is to make this information that is being used as available to people as possibly can be. Acting Secretary McInnis asked Dr. Fowler if he was prepared to go and testify in court that September 20th, which is the earliest it is recommended, as to whether or not that is the first day that is permissible. Dr. Fowler advised that they are

prepared to go and testify in court that this is their recommendation. Dr. Fowler stated that if they are subpoenaed and are asked they have to. This is for grain. Dr. Fowler advised that if a farmer does decide to plant crops before September 20th and plants a field and does it according to all the recommended practices the federal agent is not going to make a case against that person. Chairman Jenkins thanked Dr. Fowler for this information and asked Mr. Morrison to continue with the recommended seasons for migratory birds, except waterfowl.

Mr. Morrison explained that these are tentative season dates and that action does not have to be taken on all of them. Action can be taken on the doves, snipe and woodcock so that they can be put in the regular hunting pamphlet. Mr. Morrison advised that they are uncertain if you can zone a split, but will find this out from the Fish and Wildlife Service. At next month's meeting these seasons will be adopted as well as the waterfowl seasons by declaration of emergency and at that time options for zoning and splitting the rail and gallinule seasons will be presented. Mr. Pol stated that he was going to suggest that it run concurrently with the waterfowl season. Mr. Morrison advised that they will look into the splits and zones to make sure that this can be done. The following tentative dates, with rails and gallinules excluded, were presented to the Commission and voted upon.

SEASON RECOMMENDATIONS (1991-92)

<u>SPECIES</u>	<u>DATES</u>	<u>DAYS</u>	<u>BAG LIMIT</u>
Snipe	Nov. 9-Feb. 23	107	8
Woodcock	Nov. 28-Jan. 31	65	5

Shooting hours for rails, gallinules, snipe and woodcock shall be 1/2 hour before sunrise to sunset.

Doves:

Option B:	Sept. 7-Sept. 15	9	15
	Oct. 19-Nov. 10	23	15
	Dec. 7-Jan. 3	<u>28</u>	15
	TOTAL	60	

Shooting hours: 1/2 hour before sunrise to sunset EXCEPT on the opening weekend of each split (Sept. 7-8, Oct. 19-20, and Dec. 7-8) when shooting hours will be 12:00 noon to sunset.

Chairman Jenkins asked Mr. Morrison to read the "Therefore Before It Resolved" part of the resolution. A motion was made by Mr. Pol that the resolution be accepted to include everything on the season recommendations, except rails and gallinules which will be handled at a later date and also to take Option B on the doves. The motion was seconded by Mr. Jones.

Mr. Randy Lanctot, Louisiana Wildlife Federation, addressed the Commission on Option B on doves and asked why did they choose this option as it was fewer days and more birds. Chairman Jenkins advised that this was voted on already and a discussion had taken place. Mr. Lanctot stated that he had to be out of the room. Chairman Jenkins stated that they could explain it to him later. Chairman Jenkins called for a vote on the motion. The motion carried.

(The full text of the resolution
is made a part of the record)

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
July 9, 1991

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD AT BATON ROUGE, LOUISIANA, JULY 9, 1991.

WHEREAS, Hugh A. Bateman, Administrator of the Game Division, attended meetings in Washington, D.C. on June 19, 1991 on upland migratory birds, and

WHEREAS, rules and regulations governing these migratory game birds were discussed at this meeting, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission and Louisiana Department of Wildlife and Fisheries Biologists have discussed tentative season dates for upland migratory birds, and

WHEREAS, final adoption of season dates for upland migratory birds cannot be established until requirements of the Federal Register process are met in August, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby propose tentative dates for dove, snipe and woodcock for the 1991-92 hunting season as recommended by the staff of the Louisiana Department of Wildlife and Fisheries, and

BE IT FURTHER RESOLVED, that these season dates will be adopted at the August meeting as an emergency rule so long as no changes are mandated by the U.S. Fish and Wildlife Service, and

BE IT FURTHER RESOLVED, the Secretary is directed to follow all applicable statutes and administrative procedures when setting the opening and closing dates and that the Commission be notified of any action.

James H. Jenkins, Jr.
Chairman, LA Wildlife and
Fisheries Commission

A. Kell McInnis III
Acting Secretary, LA Dept.
Wildlife and Fisheries

Ms. Karen Foote reviewed the **Proposed Commercial Fisheries Sales Card**. Ms. Foote reported that in the 1990 legislature Representative Roach introduced a bill which was passed and made into law that mandated the Commission promulgate rules and regulations to initiate a sales card and receipt program for commercial fisheries products. Money will be needed to do this and, according to Acting Secretary McInnis and Ms. Baker, there is some money that is going to be made available to do this, or at least part of it, in 1992. This program is suppose to take place as of January 1, 1991. To implement this program in the best way possible, which is modeling it after the Florida system the current estimates are that it would cost \$500,000 per year. The department sent representatives to Florida to look at their system since they have a model system in the Gulf region and when it is found out what the funding will be personnel of the department will be prepared to sit down with Enforcement Division and submit for notice of intent, at the Commission meeting, the actual rules and regulations that are being proposed. The commercial fishermen's sales card would be used in lieu of the commercial fisherman's license. It would be similar to a credit card and will have at least the fisherman's name and commercial license number on it. The Commission may require other applicable information on the card such as gear licenses and the fisherman's picture. The card would be used to imprint a multi-part receipt form to record every sale from a commercial fisherman to a wholesale-retail dealer. Other information included on the receipt would be species sold, weight, gear used, area fished and effort. The form would have a place for the fisherman to voluntarily report unit price and dollar value. One part of the receipt would be retained by the fisherman, one part retained by the wholesale-retail dealer and the third part would be forwarded to the department within ten working days of the end the month. The Department would computerize sales receipt information. This system would collect all information on Louisiana landings for state and federal fisheries management purposes. Implementation will include extensive coordination between the Office of Fisheries, the Enforcement Division, Licensing Section and the Computer Center. There is a great deal of support for this system from Representative Randy Roach and the commercial fishermen concluded Ms. Foote.

Mr. Pol gave an example of a fisherman fishing down at Lake Charles with a truck waiting there for him to haul all of his fish to Texas, or he might be fishing at Breton Island and will go into Mississippi to unload the catch and asked how is this system going to solve the problem. Ms. Foote stated that it is not going to solve the problem of non-reporting. Mr. Pol commented that this

was one of our big problems now. Ms. Foote agreed and stated that it won't completely solve the problem with non-reporting but this would make the commercial fisherman responsible for filling out a receipt and the wholesaler-retailer dealer for filling out the receipt. Mr. Pol pointed out that this is just more paperwork and does not believe it will solve the problem and does not know what will solve the problem. Ms. Foote commented that it is definitely a lot more paperwork and one thing that the Florida system does that Louisiana law does not provide for is that there is not any way on this system to capture commercial fishermen's sales to a direct user. Florida does not allow this, you have to sell to a wholesale-retail dealer. This would take an act by the legislature but Ms. Foote pointed out that there is an existing law on the monthly report, a place where the commercial fishermen is to report if he sells directly to the user. That part could be used for the commercial fishermen direct sales. Mr. Jones asked what happens if a fisherman is caught that has not reported direct sale, as of now. Acting Secretary McInnis advised that it would be the same violation as having a wholesale-retail dealer not filing, first violations are a Class 2. Captain Vujnovich pointed out that some deals are strictly cash only. Ms. Foote stated that this will not solve that problem. Mr. McCall commented that this is where the cheating comes in. Chairman Jenkins thanked Ms. Foote for her report.

The Acting Secretary's Report to the Commission was given by Acting Secretary A. Kell McInnis III. Acting Secretary McInnis reported that he did get the request that was made by the Commission last month for a update on the reporting system and what could be done to improve it. Acting Secretary McInnis advised that he met with Dr. Clark, Ms. Foote, Colonel Vidrine, Ms. Baker and Mr. Turner and asked them to give him a rounded view point of what is going on. The first thing they did was to try and figure out where the problems were. It is not know how many fish the recreational people and commercial people are catching. There is a reporting requirement for the commercial end and recreational is done by a type of census such as creel samples, checks. The department needs to have a better idea where the figures for both groups are coming from. One problem is that you go to a wholesale-retail dealer and his records do not conform with the report that he sent in. The wholesaler-retail dealers do not have the best records in the world. The only way to verify this information is to insist that the dealers file these reports on a regular basis. The dealers have until the 10th of the following month to file the report. Packets are mailed to dealers and contain the reporting forms, return stickers, etc. Not everyone who was mailed a packet is reporting. The department has set about trying to find a solution for this. At this point in the meeting Acting Secretary McInnis gave a brief history of the reporting history. Since 1974 the Commission has had the authority to require these reports but there were no quotas, no limits and no impedance for the department to get the reports. It was not until 1989 that the law was revised

and the department was given the authority to require these reports on a monthly basis. This was done because the department wanted to enhance their ability to know what was going on. Some of the reports are sent to the local offices, some are sent to the Baton Rouge Office. The reports have to be coordinated to make sure that they get on the master list. The department has embarked on ticket writing for failure to report and there have been a number of people claiming that they sent their report in. Last year in an effort to make sure that everybody understood the rule the agents were sent out with another set of packets to all of those dealers that could be located who were on the non-reporting list. Since that time a new license had to be purchased and the dealers went through the same process again. This year in March the department began monitoring the information, in-house, to formulate a report on a monthly basis to inform the department who had sent in reports. The first time there was some confusion and about ten days ago there was another report for the month of April. The agents were sent out to see those people who appeared on the list. Acting Secretary McInnis pointed out that there are a lot of people that don't deal with finfish but they are wholesale-retail dealers and all have to submit the same report. During the legislative session last year the restaurant people along with the grocery people got together and were successful in convincing the legislature that sending all of these reports in that said they only bought from another wholesale-retail dealer was duplicitious. The department has received reports from restaurants and at the same time if a commercial fisherman sells to a wholesale-retail dealer the report is to come from the dealer and not the fisherman. The problem is there is perception and certainly reality stated Acting Secretary McInnis that some of these fishermen on some occasion sell to someone other than a wholesale-retail dealer that is a fish dealer. To date the department does not have a report from any fisherman indicating that he had made a direct sale. To believe that this has never taken place is not realistic. If the records are different from what is being reported a spot check is needed. Once people get use to being checked they will keep better records commented Acting Secretary McInnis. If they are never checked the dealers will not make any improvement because status quo is good enough. Another problem is when the report indicates different than the purchase. The check and balance system is designed to help this but the only way to find this out is to get out in the field with undercover people making sales and when it comes time to checking it go back and see if the sale is actually recorded. Something is true with the grocery store. The unreported direct sales is a more difficult situation stated Acting Secretary McInnis. The department can do everything to address these issues as they are reported but cannot be everywhere all the time. The trip system is duplicitious and has two or three copies to it; it is not all that ends all but is a definite improvement. Enforcement plays an important part in this and when the department receives tips they do follow up on them. Captain Vujnovich asked about who should report. Acting Secretary McInnis informed him

that if you buy from someone who was the first point of sale you do not have to report it again. If you are a wholesale-retail dealer and you buy you have to put down that you bought but you don't have to put down the pounds, put 0 down because you have bought them from someone who has already reported it. The fisherman is not required to report unless he makes a direct sale. Mr. Foret asked about the National Marine Fisheries report. It was pointed out that their reporting system for shrimp was not the same for finfish. Mr. Pol asked how long do the dealers have before they have to submit their report. Acting Secretary McInnis advised that it was the tenth of the month following. Mr. Roussel clarified that the dealer is actually given ten days, at the end of June the dealer is required to report by July 10th what he bought in June. Mr. McCall asked how many fish houses were in the state. Roughly about 3,000 wholesale-retail license holders answered Acting Secretary McInnis. Mr. McCall asked what is so hard about a place like Cameron-Calcasieu to determine how many fish dealers are in the parish. Everyone who has a wholesale-retail dealer's license is entitled to sale any of the seafood products answered Acting Secretary McInnis and a figure could be obtained as to how many of those licenses are held in Cameron-Calcasieu Parishes. Mr. McCall asked why would it be so hard for a agent to pay them a visit twice a week until they get the reporting down and make sure they are doing it. Acting Secretary McInnis stated that to go there twice a week he does not see what benefit they would get out of it. Mr. McCall asked how often would they receive a visit. Acting Secretary advise that it depends on how many reports are filed and if they continue to neglect the reports they will be visited every month. Getting people in the habit of filing an accurate report is something that takes a little time. Mr. McCall asked what was going to be done about the fishing boat that loads its fish into a truck that goes to Texas, Arkansas, or Mississippi. Acting Secretary McInnis answered have somebody tell us where that truck is and it will be stopped and everything seized in it. Mr. McCall asked if the department was going to depend upon people telling them where the truck is everytime. No, answered Secretary McInnis and added that the agents do work by themselves but as the Commission knows two or three agents cannot be everywhere in a parish twenty-four hours a day. Mr. McCall stated that he realized this and advised that he was looking at the Enforcement report which has not been given yet. In the report it is shown fishing without a resident pole license for the month of June 202 cases and Mr. McCall asked how many fish did those people catch with a cane pole on the side of the bank. What he is saying is that he thinks it would be more important if more time would be spent on bigger stuff than the cane pole fishermen on the side of the road or a little bayou. Acting Secretary McInnis stated that he would imagine that Colonel Vidrine will address this more specifically but it is his estimation that the time it took to write 202 tickets is not very long. They are probably written in droves at one point in time are are issued in a specific area where they anticipate this type of violation will occur. The agents have spent ten times

more time on reporting in the last two months than they have in their entire lives stated Acting Secretary McInnis. Mr. McCall asked if it would be fair to say that the agents could spend more time on the bigger items than some of the others? Acting Secretary McInnis assured Mr. McCall that they have been spending more time on this issue than they ever have before.

Chairman Jenkins stated that everybody realizes that the department has limited resources so this gets down to a matter of priority and he believes what everybody on the Commission is telling Acting Secretary McInnis and the people in Enforcement is that they want to make it a priority and if it takes dedicating some of the resources (people, equipment, time, money) they would like for the department to do this. Make it a priority and work on it until it is going in the right direction. Acting Secretary McInnis, at this point in the meeting, asked staff, Ms. Baker, Ms. Foote and Colonel Vidrine to supply him, next Monday, with the amount of hours that each of their employees have spent on this for the last two months and added that he thinks the Commission is going to find an extraordinary number of hours have been spent on this trying to address this issue. The department is not where they want to be but has spent a great deal of time trying to get where they want to be. This information will be provided to the Commission Acting Secretary McInnis informed them. Chairman Jenkins commented that he know they have been working on it in the last couple of months but believes there is a need for a better defined program which will probably primarily be auditing, enforcement and maybe some education. Acting Secretary McInnis stated that he thinks the Extension Service could be a great deal of help to the department. Chairman Jenkins stated that this is something that is not going to happen unless everybody decides they want to make it happen. Mr. Pol stated that there were eleven or twelve agents graduated from the academy and only one of them went to the coast while the rest went to north Louisiana. The problem is down on the coast, we are losing the speckled trout and nothing is being done to stop it commented Mr. Pol. Mr. McCall stated that he accepts the fact that the department is short on enforcement people, more are needed and the people out there are doing a good job in most cases. It is hard for Mr. McCall to see how over thirty thousand feet of unattended gill nets could be in Calcasieu Lake alone this year and not be seen, reported or anything done by an agent. The tip had to come from a private individual to tell the department that these nets were out there and if the agents are patrolling either land or water they should have known the nets were out there, fish were being caught and fish were being moved. There is something lacking when you have that many nets, nobody see them or knows where they end up at. Mr. Pol commented that the commercial fishermen know what happened at the board meeting before the Commission gets out. Chairman Jenkins asked Acting Secretary McInnis to finish his report.

Acting Secretary McInnis continued and gave a brief overview of the closure of the 1991 legislature. The department had introduced about twenty-five bills, of those bills there were six or eight pulled and the balance of which were continued. There was only one bill that was introduced which did not make it. This was the bill that dealt with adding additional seasons to the exception of the Administrative Procedure Act. The reason it was unable to go forward was that this was done in conjunction with the bill that was sponsored for game fish for the trout and redbfish and adding the additional seasons was unable to keep up with it. The gamefish bill took longer to go through the session than had been anticipated and the bill got caught on the House side and could not get out.

From the Habitat Section and the Fiscal Section, Mr. Scoggin helped the department to provide for the allocation of funds within the Habitat and Natural Heritage Trust which gives the department more flexibility in utilizing the funds and accumulating funds for the Natural Heritage Program.

There were a series of oyster bills which cleaned up things. During the past year there has been a number of problems with the weather which was very detrimental to the oyster industry, and action taken by California which was very detrimental to the local oyster industry, so several steps have been taken in some of the bills to clean up the legislation and tighten it to make sure the industry is properly monitored and continues to be a viable growing industry.

Legislation was passed to clarify the crab trap controversy. It is an illegal gear and the department will consider whether or not to utilize any other experimental programs to test these gears further.

Catching shrimp with a butterfly net in inside waters in closed season is now a Class 4 violation.

There is a new Life Time License which will be available shortly after the first of the year. This license will be developed and produced by the Licensing Section. Acting Secretary McInnis encouraged anyone who was interested to participate in this program even if they did not need a license. The price for someone who is 0-13 years of age is two hundred dollars, over 13 a lifetime fishing license or hunting license can be bought for three hundred dollars apiece or a combination hunting/fishing license for five hundred dollars which includes everything but the migratory stamps, state and federal.

There were some problems with the Class 1 violations and they did not generate the amount of money anticipated because the boating violations were ruled to be inapplicable. They are not specifically included in the Class 1 violations as are the

penalties. If a person fails to avail himself to either paying the civil penalty or going to the administrative hearing and clearing the situation a person will be notified subsequently that his license has been revoked (license that was being used at the time) and if another license is procured during the course of suspension and the person is caught using it this will be a Class 3 violation which is much more substantial.

The department was not successful with all of their bills. They were working on a land transfer with IP Timberlands Operating Company and there were some problems. Representative Roach, Representative John, Representative Theriot and Representative Patti went to bat for the department on the oyster bills.

Acting Secretary McInnis advised that if any of the Commissioners had anything particular that they were following he would be happy to answer questions on it and the department should have a completed report in the morning. A final report will be prepared and submitted at the next Commission meeting.

Mr. Pol informed those attending the meeting that the Governor signed the speckled trout/redfish bill. This bill was signed on July 2, 1991. The Commission/department now have the responsibility to regulate these fisheries which is a big step forward.

Acting Secretary McInnis advised that Dr. Jerry Clark was not at the meeting today as he is attending the Gulf Council meeting and advised that he would be joining Dr. Clark in the morning. Acting Secretary McInnis announced that Chairman James H. Jenkins was appointed to the Gulf Council.

Concluding, Acting Secretary McInnis thanked all of the staff for the cooperation and dedication that they gave to him during the legislative session this year.

The Monthly Law Enforcement Report for June was given by Colonel Winton Vidrine. Colonel Vidrine reported that the following citations were given during the month of June, 1991.

Region I - Minden - 172 citations were issued. Quite a few fish, rod and reel, gill nets, etc. were confiscated.

Region II - Monroe - 134 citations were issued.

Region III - Alexandria - 226 citations were issued. Confiscated six hundred feet of two inch gill nets, one alligator, another gill net and a rifle.

Region IV - Ferriday - 119 citations were issued.

Region V - Lake Charles - 243 citations were issued. Confiscated were forty speckled trout, ten red drum, four black drum, a couple of hoop nets, white perch, and cast nets.

Mr. Pol stated that a rumor was received during the last meeting that a truck full of speckled trout headed towards Texas had been apprehended and asked if this did happen. Colonel Vidrine answered yes sir. Mr. Pol asked why wasn't it on the report. Colonel Vidrine stated that a gentleman from Texas was cited but he did not have a bunch of speckled trout. Mr. Pol asked why wasn't there a press release on this as he was told the man had a truck full of fish. Colonel Vidrine answered he did not know but the man did not have a truck full of fish. Colonel Vidrine pointed out that if you look under Region V you can see that the agents did a pretty good job. The man was a dealer from Texas that came into Louisiana and was taking fish from one dealer to the other explained Colonel Vidrine. His records were seized and some of his records were from New Orleans. The D.A.'s office were furnished these records. Fish had been delivered from Cameron to New Orleans. Several citations were issued. Colonel Vidrine furnished the complete report to the Commission for their review at this point during the meeting.

Region VI - Opelousas - 184 citations were issued. Confiscated were 14 black drum, alligator, fox, 3 undersized drum and a 174 sac-a-lait.

Region VII - Baton Rouge - 356 citations were issued.

Region VIII - New Orleans - 281 citations were issued. 15 were charged with taking and possessing of undersized spotted seatrout, 11 for taking possession of commercial fish without a vessel license, 22 for trawling in closed season, and 16 for trawling in inside waters with oversized rigs. Colonel Vidrine pointed out that there was a half of pages of confiscations, to many to mention.

Mr. McCall referred to the wording "Failure to abide by Commission rules" which was stated in the report several times and asked if there was any particular ruling that they are not abiding by. It was explained that because there were so many rules they are not broken down in the report but are on the citations.

Region IX - Thibodeaux - 487 citations were issued. 12 for possession of over limit of gamefish, 7 for possession over limit of red drum, 32 for possession of undersized red drum, and 41 for possession of undersized spotted seatrout all in the Grand Isle area.

The Oyster Strike Force issued a total of 29 citations for the month of June.

SWEP, Rip Tide and Delta Tide issued a total of 14 citations. Confiscated were 7 trawls, 4,630 pounds of shrimp and sold the shrimp for \$5,209.00, 2,384 pounds of black drum with the total weight of the fish seized being 37,560 pounds.

The total number of citations issued for the month of June, 1991 was 2,245 citations.

As a point of information, Colonel Vidrine stated that last month or two months ago the department was investigated by the U.S. Department of Labor for working the agents over the 86 hour pay period and accused the people of falsifying their timesheets and stating that they worked only 86 hours when in fact they were working a hundred and something hours a pay period.

The agents that were hired recently, out of eleven agents in the academy, seven are assigned to the coastal parishes advised Colonel Vidrine. Mr. Pol stated that he thought in the list that Colonel Vidrine had given to him that there were only two and they were in New Iberia Parish. Colonel Vidrine stated that was in the prior academy and in the new academy seven out of eleven belong to the coastal parishes.

Continuing, Colonel Vidrine advised that the report on the seafood dealers was given to him Wednesday morning at 10 a.m. of last week. This was the first time that he has ever received a report on this since he has been with Wildlife and Fisheries. Mr. McCall asked Colonel Vidrine when he says seafood dealers is he talking about shrimp, fish, etc. Colonel Vidrine advised that he was talking about seafood dealers throughout the state, the ones that did not file their monthly report. The Regional Supervisors were called and instructed to go to every seafood dealer in the State of Louisiana that had not turned in their monthly report. Region I and II did not have a chance to do this over the weekend because of the death of one of the agents in that area.

Acting Secretary explained that the agents in Regions I and II had been asked to help out over the weekend and unfortunately there was an accident with an agent drowning Saturday. A great deal of time and man hours were spent on this. The investigation is still going on as to the accident itself. The funeral was yesterday at 2 p.m. in Homer, Louisiana and all of this sat back the agents in Regions I and II substantially advised Acting Secretary McInnis. Colonel Vidrine continued and stated that Region III, Alexandria, had fifty eight dealers who had not turned in their monthly report. As of noon today they had contacted six of them and issued citations. This will continue until all fifty eight are cited. Region IV, Ferriday, had twenty two dealers who had not reported and two citations were issued this morning. Region V, Lake Charles, had sixty two dealers who had not reported and twenty two were cited between Saturday and this morning. Region 6, Opelousas, had eighty six dealers who had not reported and sixteen have been

cited as of this morning. Region 7, Baton Rouge, had a total of one hundred twenty six with twenty two citations issued as of noon today. Region VIII, New Orleans, had a total of one hundred sixty seven dealers who had not reported and seventy four citations were issued as of this morning. Region IX, Thibodeaux, there were sixty nine dealers who had not reported with twenty nine cited as of this morning. This is a Class 2 violation with a fine of \$125 to \$250. The Enforcement Division is going to continue to pursue this issue and do the best they can to make these people follow the law.

Acting Secretary McInnis stated that one or two things that he neglected to mention is that during the course of the last month due to the weather there were two separate oyster closures which caused the department to work with the Department of Health on an extended basis. Also this morning the closure for the inshore shrimp season in Zone 3 which is the western shore of Vermilion Bay, southwest pass at Marsh Island to the Louisiana Texas line was signed by Acting Secretary McInnis. This will close at 12:01 a.m. on Saturday, July 13th.

Chairman Jenkins thanked Colonel Vidrine and Acting Secretary for their reports and called for **Public Comments** from the audience.

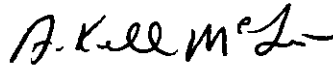
Mr. Dan Bradhoun addressed the Commission on the Black Bass Management Plan. Mr. Bradhoun believes that the Commission should change the limit on black bass back from 8 back to a higher limit, even in the trophy lakes and quality lakes and asked the Commission to please consider this. Mr. Bradhoun believes this is what most of the public wants and most people are not interested in catching a bigger bass.

Chairman Jenkins asked if anyone else would like to speak.

Mr. Pol asked what was happening with the fish hatchery. Acting Secretary McInnis advised that the department is in the process of selecting a site for the fish hatchery and has been narrowed down to two good sites. Different members of the staff are evaluating these sites and gathering final information. In the next week to ten days all of the information should be available. The five million dollars that was in the Capital Outlay Budget in Category 5 was removed with one million dollars being left in for sight development. By the time the site development is completed the first of the year will have passed and the department will be in a posture to get the money put in a higher category in next year's Capital Outlay Budget advised Acting Secretary McInnis. Mr. Pol commented that what upsets him that other states, such as Texas, have five or six big beautiful hatcheries and everybody is bashing the Wildlife and Fisheries and not trying to help out.

Captain Vujnovich asked permission if he could check out the State Oyster Seed Grounds on Saturday July 20, 1991 and would make all the arrangements. Chairman Jenkins stated that he did not think this would be a problem.

Chairman Jenkins asked if there was any other business to be brought before the Commission. There being none Mr. Pol made a motion for **Adjournment** of the July 9, 1991 Commission Meeting. The motion was seconded by Mr. McCall and passed unanimously.



A. Kell McInnis III
Acting Secretary

AKM:sb

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
July 9, 1991

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD AT BATON ROUGE, LOUISIANA, JULY 9, 1991.

WHEREAS, Hugh A. Bateman, Administrator of the Game Division, attended meetings in Washington, D.C. on June 19, 1991 on upland migratory birds, and

WHEREAS, rules and regulations governing these migratory game birds were discussed at this meeting, and

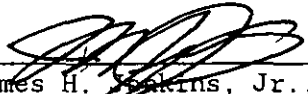
WHEREAS, the Louisiana Wildlife and Fisheries Commission and Louisiana Department of Wildlife and Fisheries Biologists have discussed tentative season dates for upland migratory birds, and


WHEREAS, final adoption of season dates for upland migratory birds cannot be established until requirements of the Federal Register process are met in August, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby propose tentative dates for dove, snipe, and woodcock for the 1991-92 hunting season as recommended by the staff of the Louisiana Department of Wildlife and Fisheries, and

BE IT FURTHER RESOLVED, that these season dates will be adopted at the August meeting as an emergency rule so long as no changes are mandated by the U. S. Fish and Wildlife Service, and

BE IT FURTHER RESOLVED, the Secretary is directed to follow all applicable statutes and administrative procedures when setting the opening and closing dates and that the Commission be notified of any action.


James H. Perkins, Jr., Chairman
Louisiana Wildlife and Fisheries
Commission


A. Kell McInnis, III, Acting Secretary
Louisiana Department of Wildlife and
Fisheries

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
July 9, 1991

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD AT BATON ROUGE, LOUISIANA, JULY 9, 1991.

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WHEREAS, rules and regulations governing these migratory game birds were discussed at this meeting, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission and Louisiana Department of Wildlife and Fisheries Biologists have discussed tentative season dates for upland migratory birds, and

WHEREAS, final adoption of season dates for upland migratory birds cannot be established until requirements of the Federal Register process are met in August, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby propose tentative dates for dove, snipe, woodcock, rails and gallinules, for the 1991-92 hunting season as recommended by the staff of the Louisiana Department of Wildlife and Fisheries, and

BE IT FURTHER RESOLVED, that these season dates will be adopted at the August meeting as an emergency rule so long as no changes are mandated by the U. S. Fish and Wildlife Service, and

BE IT FURTHER RESOLVED, the Secretary is directed to follow all applicable statutes and administrative procedures when setting the opening and closing dates and that the Commission be notified of any action.

James H. Jenkins, Jr., Chairman
Louisiana Wildlife and Fisheries
Commission

A. Kell McInnis, III, Acting Secretary
Louisiana Department of Wildlife and
Fisheries

Attachment B

SEASON RECOMMENDATIONS (1991-92)

<u>SPECIES</u>	<u>DATES</u>	<u>DAYS</u>	<u>BAG LIMIT</u>
Rails	Nov. 16 - Jan. 20	66	15
Gallinules	Nov. 16 - Jan. 20	66	15
owl Snipe	Nov. 9 - Feb. 23	107	8
owl Woodcock	Nov. 28 - Jan. 31	65	5

Shooting hours for rails, gallinules, snipe and woodcock shall be 1/2 hour before sunrise to sunset.

Doves:

Option A (staff recommendation)

Sept. 7 - Sept. 15	9	12
Oct. 19 - Nov. 17	30	12
Dec. 7 - Jan. 6	<u>31</u>	12
TOTAL	70	

Option B:

Sept. 7 - Sept. 15	9	15
Oct. 19 - Nov. 10	23	15
Dec. 7 - Jan. 3	<u>28</u>	15
	60	

Shooting hours: 1/2 hour before sunrise to sunset EXCEPT on the opening weekend of each split (Sept. 7-8, Oct. 19-20, and Dec. 7-8) when shooting hours will be 12:00 noon to sunset.

SEASON RECOMMENDATIONS (1991-92)

<u>SPECIES</u>	<u>DATES</u>	<u>DAYS</u>	<u>BAG LIMIT</u>
Snipe	Nov. 9 - Feb. 23	107	8
Woodcock	Nov. 28 - Jan. 31	65	5

Shooting hours for snipe and woodcock shall be 1/2 hour before sunrise to sunset.

Doves:

Sept. 7 - Sept. 15	9	15
Oct. 19 - Nov. 10	23	15
Dec. 7 - Jan. 3	<u>28</u>	15
	60	

Shooting hours: 1/2 hour before sunrise to sunset EXCEPT on the opening weekend of each split (Sept. 7-8, Oct. 19-20, and Dec. 7-8) when shooting hours will be 12:00 noon to sunset.

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Shooting hours for snipe and woodcock shall be 1/2 hour before sunrise to sunset.

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	60	

Shooting hours: 1/2 hour before sunrise to sunset EXCEPT on the opening weekend of each split (Sept. 7-8, Oct. 19-20, and Dec. 7-8) when shooting hours will be 12:00 noon to sunset.

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
July 9, 1991

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD AT BATON ROUGE, LOUISIANA, JULY 9, 1991.

WHEREAS, it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting season for resident game birds and quadrupeds, and

WHEREAS, authority to establish seasons, bag limits, possession limits and other rules and regulations for the hunting, taking and possession of any species of wild game birds or quadrupeds is vested in the Commission by R.S. 56: 115, and

WHEREAS, this action will provide for the protection and conservation of these natural resources and allow for recreational opportunities for sport hunting on both public and private lands, and

WHEREAS, the Commission and Department staff have jointly reviewed and considered all available biological information and requests from sportsmen of the state, now

THEREFORE BE IT RESOLVED, that the attached rules and regulations, season dates, and bag limits affecting sport hunting of resident game species are hereby ratified by the Louisiana Wildlife and Fisheries Commission, and

BE IT FURTHER RESOLVED, the Secretary is directed to follow all applicable statutes and administrative procedures when setting the opening and closing dates and that the Commission be notified of any action.

James H. Jenkins, Jr., Chairman
Louisiana Wildlife and Fisheries
Commission

A. Kell McInnis, III, Acting Secretary
Louisiana Department of Wildlife and
Fisheries

RULE
WILDLIFE AND FISHERIES COMMISSION
DEPARTMENT OF WILDLIFE AND FISHERIES

In accordance with the Notice of Intent published in the March 1991 Louisiana Register, the Louisiana Wildlife and Fisheries Commission, at its regular monthly meeting in July hereby ratifies regulation on open hunting season dates, bag limit, methods of taking, and rules and regulation on Department operated wildlife management areas for the period October 1, 1991-May 15, 1992. Authority to establish regulation is vested in the Commission by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950. A synopsis of season dates is attached and made part of this rule.

For those interested, a more detailed copy of the rules and regulations is available upon request to Hugh A. Bateman, Administrator, Game Division, Box 98000, Baton Rouge LA 70898-9000.

CITATION: None - changes annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries,
Wildlife and Fisheries Commission LR 17: (1991).

James H. Jenkins, Jr.
Chairman

SUMMARY OF 1991-92 RESIDENT GAME HUNTING SEASON
DATES AND BAG LIMITS

Quail: Nov. 28-Feb. 29 - Daily Bag Limit 10, Possession 20
Pheasant: Nov. 28-Dec. 8 (Cock Pheasant Only) - Daily Bag Limit 2, Possession 4
Squirrel: Oct. 5-Jan. 26 - Daily Bag Limit 8, Possession 16
Rabbit: Oct. 5 - Feb. 29 - Daily Bag Limit 8, Possession 16
Deer: Dates Vary - See Schedule Below - Bag Limit: One per day, 6 per season.
Archery: Oct. 1-Jan. 20
Muzzleloader: Dec. 2-6

<u>Area 1</u> - 59 days	<u>Days</u>
Nov. 23-Dec. 1	9 (still hunt only)
Dec. 2-6	5 (still hunt, muzzleloader only)
Dec. 7-Jan. 2	27 (with or without dogs)
Jan. 3-20	<u>18</u> (still hunt only)
	59

<u>Area 2</u> - 61 days	<u>Days</u>
Nov. 2-Dec. 1	30 (still hunt only)
Dec. 2-6	5 (still hunt, muzzleloader only)
Dec. 7-Jan. 1	<u>26</u> (with or without dogs)
	61

<u>Area 3</u> - 65 days	<u>Days</u>
Nov. 2-Dec. 1	30 (still hunt only)
Dec. 2-6	5 (still hunt, muzzleloader only)
Dec. 7-Jan. 1	<u>26</u> (still hunt only)
	61

<u>Area 4</u> - 44 days	<u>Days</u>
Nov. 23-Dec. 1	9 (still hunt only)
Dec. 2-6	5 (still hunt, muzzleloader only)
Dec. 7-Jan. 5	<u>30</u> (still hunt only)
	44

<u>Area 5</u> - 14 days	<u>Days</u>
Nov. 23-Dec. 1	9 (still hunt only)
Dec. 2-6	<u>5</u> (still hunt, muzzleloader only)
	14

<u>Area 6</u> - 58 days (NEW AREA)	<u>Days</u>
Nov. 23-Dec. 1	9 (still hunt only)
Dec. 2-6	5 (still hunt, muzzleloader only)
Dec. 7-Jan. 19	<u>44</u> (with or without dogs)
	58

Turkey - Season Dates Vary - See Schedule Below - Limit: One per day, 3 per season

<u>Area A</u>	<u>Days</u>
March 28-April 26	30

<u>Area B</u>	
March 21-April 26	37

Area C - CLOSED

<u>Area D</u>	
April 11-April 26	16

Attachment A

SUMMARY OF RECOMMENDED CHANGES FOR RESIDENT GAME

Deer

Area 1 Move that portion of Avoyelles Parish between LA Hwy. 1 and the Red River into Area 1. Previously in Area 6.

Area 2 Shorten the last segment (with or without dogs) by 4 days. Season will close on Jan. 1 instead of Jan. 5.

Rapides Parish: That portion lying south of LA 112 between I-49 and US 165 has been removed from still hunting only zone. This area will now have the same season as Area 2 and include dog hunting opportunity.

Turkey

Area C shall be closed during the 1992 turkey season because of flooding. This action will encompass some private lands as well as the Russell Sage and Ouachita WMAs.

WMAs

Big Lake, Boeuf and Saline - Either-sex hunting eliminated including archery and muzzleloader. Buck segment reduced to three days (Nov. 29-Dec. 1) and will require self-clearing permit.

Georgia Pacific, Ouachita and Russell Sage - Either-sex season reduced from 3 to 2 days and a similar reduction in bucks only hunting.

Thistlethwaite - Implementation of an experimental lottery hunt to control hunter numbers.

Bayou Macon (new acquisition) - established hunting seasons.

Deer: Archery - Same as outside

Gun: Nov. 29-Dec. 1 - bucks only

Muzzleloader: Dec. 2-4 - bucks only

Dec. 5-6 - either-sex

Small Game: Same as outside

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
July 9, 1991

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD AT BATON ROUGE, LOUISIANA, JULY 9, 1991.

WHEREAS, it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting season for resident game birds and quadrupeds, and

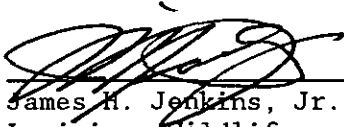
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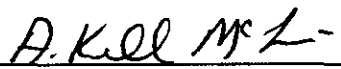
WHEREAS, this action will provide for the protection and conservation of these natural resources and allow for recreational opportunities for sport hunting on both public and private lands, and

WHEREAS, the Commission and Department staff have jointly reviewed and considered all available biological information and requests from sportsmen of the state, now

THEREFORE BE IT RESOLVED, that the attached rules and regulations, season dates, and bag limits affecting sport hunting of resident game species are hereby ratified by the Louisiana Wildlife and Fisheries Commission, and

BE IT FURTHER RESOLVED, the Secretary is directed to follow all applicable statutes and administrative procedures when setting the opening and closing dates and that the Commission be notified of any action.


James H. Jenkins, Jr., Chairman
Louisiana Wildlife and Fisheries
Commission


A. Kell McInnis, III, Acting Secretary
Louisiana Department of Wildlife and
Fisheries

State of Louisiana



A. Kell McInnis III
Acting Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898
(504) 765-2800

Buddy Roemer
Governor

July 3, 1991

MEMORANDUM

TO: Members of Louisiana Wildlife and Fisheries Commission

FROM: Hugh Bateman, Administrator, Game Division *HAB*

SUBJECT: Hunting Season Recommendations, 1991-92

At the July 2nd meeting of the Commission's Hunting Regulations Committee, several major topics were discussed concerning resident game hunting seasons. A summary of recommended changes is given in Attachment A. The hunting rules and regulations approved by the Regulations Committee require your final ratification at the July 9th Commission meeting.

Additionally, recommendations were made for migratory game birds (except waterfowl) at this time. These recommendations are listed in Attachment B and will need tentative approval at the same meeting to allow us to print them in the regulations pamphlet.

If you have any questions please call me (504/765-2348) or Dave Morrison (504/765-2347) in our Baton Rouge Office.

HAB:sd

cc: A. Kell McInnis III
- Dr. Bob Chabreck
Dave Morrison

Attachment A

SUMMARY OF RECOMMENDED CHANGES FOR RESIDENT GAME

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Attachment B

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	60	

Shooting hours: 1/2 hour before sunrise to sunset EXCEPT on the opening weekend of each split (Sept. 7-8, Oct. 19-20, and Dec. 7-8) when shooting hours will be 12:00 noon to sunset.

RESOLUTION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, JULY 9, 1991

WHEREAS, the Louisiana Department of Wildlife and Fisheries and the Louisiana Wildlife and Fisheries Commission both recognize the value of acquiring lands for outdoor recreation, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has an active land acquisition program, and

WHEREAS, the game division staff, in concurrence with the land acquisition committee, have actively pursued purchase of a certain 6,900 acre tract of land in East Carroll parish, and

WHEREAS, this activity has resulted in the negotiation of a Purchase Agreement which has been agreed to by both Westbank Planting Co. and this Department, and

WHEREAS, the purchase price which has been agreed upon is two million, seven-hundred and thirteen thousand dollars (\$2,713,000), now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby authorize the Secretary to consummate these negotiations through Cash Sale and to acquire said lands and include these lands into the Departments Wildlife Management Area program, and

BE IT FURTHER RESOLVED that the newly acquired lands be named the BAYOU MACON W.M.A., and established as a Wildlife Management Area after Proclamation by the Governor.

A. Kell McInnis III
A. Kell McInnis III, Acting Sec.
La. Dept. of Wildlife & Fisheries

James H. Jenkins, Jr.
James H. Jenkins, Jr. Chairman,
La. Wildlife & Fisheries Comm.

hereby certify that this is a true and correct copy of the original document on file in the office of the Louisiana Department of Wildlife and Fisheries.

Sharon L. Coleman

RESOLUTION
LOUISIANA DEPARTMENT OF WILDLIFE AND
LOUISIANA WILDLIFE AND FISHERIES CC

Original - Don
Puckett has -
Get copy for
Pat

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE
COMMISSION AT ITS REGULAR MEETING HELD IN BATON

WHEREAS, the Louisiana Department of Wildlife and Fisheries and the Louisiana Wildlife and Fisheries Commission both recognize the value of acquiring lands for outdoor recreation, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has an active land acquisition program, and

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A. Kell McInnis III, Acting Sec.
La. Dept. of Wildlife & Fisheries

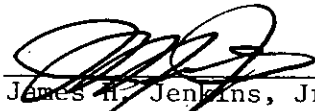
Jimmy Jenkins, Chairman
La. Wildlife & Fisheries Comm.

RESOLUTION
WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
JULY 9, 1991

- WHEREAS, R.S. 56:497 authorizes the Wildlife and Fisheries Commission to set no less than two shrimp seasons for Louisiana's inshore waters, and
- WHEREAS, historically the fall inshore shrimp season has opened on the third Monday in August, and
- WHEREAS, in some years catches of marketable sized shrimp have been observed during the first week of August, and
- WHEREAS, it appears white shrimp recruitment during 1991 is earlier this year than in recent years, and
- WHEREAS, in 1991 the Commission's August meeting is scheduled somewhat later in the month and at a remote location, and

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby authorize and empower the Secretary of the Department of Wildlife and Fisheries to set the opening dates and closing dates for the 1991 fall inshore shrimp season based on biological and technical data, and

BE IT FURTHER RESOLVED, the Secretary is directed to follow all applicable statutes and administrative procedures when setting the opening and closing dates and that the Commission be notified of any action.


James H. Jenkins, Jr.
Chairman


A. Kell McInnis III
Acting Secretary

RESOLUTION
WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
JULY 9, 1991

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James H. Jenkins, Jr.
Chairman

A. Kell McInnis III
Acting Secretary

RESOLUTION

Louisiana Wildlife and Fisheries Commission

Nutria Cost Share Program

WHEREAS, reduced trapping effort because of low fur prices has resulted in this overabundance of nutria; and


WHEREAS, overpopulation of nutria in certain areas of Louisiana are contributing to the loss of Louisiana's valuable wetlands; and

WHEREAS, Act 552 enacted by the 1990 Regular Session of the Legislature provide for a cash incentive for nutria taken from damaged areas; and

WHEREAS, this same legislation authorizes the Secretary of the Department of Wildlife and Fisheries to promulgate rules for the administration of the nutria cost share program in accordance with the Administrative Procedures Act; and now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby give notice of intent to establish rules for the Nutria Cost Share Program.

BE IT FURTHER RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate these rules, including but not limited to the filing of the Fiscal and Economical Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.


A. Kell McInnis, III
Acting Secretary


James H. Jenkins, Jr.
Chairman

July 9, 1991

State of Louisiana



A. Kell McInnis III
Acting Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898
(504) 765-2800

Buddy Roemer
Governor

June 24, 1991

M E M O R A N D U M

TO: Wildlife and Fisheries Commission Members
FROM: *TP* Tommy Prickett, Administrator, Fur & Refuge Division
SUBJECT: Nutria Control Cost Share Program

Attached is an overview of the nutria control cost share program along with supporting documentation in the form of a letter of concurrence from the Governor's Office for Coastal Activities, a sample Cooperative Endeavor Agreement, an application form, and a copy of Act 552 that established the program.

The program addresses habitat damage caused by an overabundance of nutria due to reduced trapping effort. A one dollar incentive will be paid to trappers for each nutria harvested and sold from nutria damaged areas. The landowner will pay one half of the incentive and the state, through the Wetlands Conservation and Restoration Fund will pay the other half.

At the July meeting I will ask you to adopt a resolution to approve implementation of this program using the forms and guidelines attached.

TP/bw

Attachment

cc: A. Kell McInnis, III
Robert Chabreck
Greg Linscombe

NUTRIA CONTROL COST-SHARING PROGRAM

During the 1990 Regular Session of the State Legislature Act #552 was passed authorizing the Department of Wildlife and Fisheries to establish a cost-sharing program with coastal landowners as an economic incentive to trap and control overpopulated nutria contributing to coastal wetlands loss in certain areas. This Act authorizes the secretary of the Department to do the following:

- 1) Enter into cooperative endeavors with qualifying coastal landowners which provide for cost-sharing agreements with such coastal landowners to provide financial incentives for the trapping of nutria to prevent marsh damage on land owned by them.

- 2) Determine, upon application by coastal landowners, which of the lands owned by such landowners are eligible for such financial incentives.

- 3) Have the responsibility for planning, administration and program management, and for monitoring the results of the program authorized by Act 552.

- 4) Adopt and promulgate such rules and regulations, pursuant to the Administrative Procedure Act, as necessary to implement this program in order to trap and control overpopulated nutria contributing to coastal wetland loss.

The Act specifies that the Cooperative Endeavor Agreements shall provide for cost sharing in that there shall be an economic incentive paid to trappers under contract with qualifying coastal landowners. One dollar will be paid per nutria with a pelt of

marketable fur trapped and sold from those lands of the coastal landowner which are experiencing vegetative damage or loss because of nutria overpopulation, as determined by the Department of Wildlife and Fisheries. The state, on a one to one match, shall pay fifty cents of the one dollar incentive per nutria trapped and sold, and the coastal landowner shall pay the remaining fifty cents, directly to the trapper for trapping services. An annual agreement shall provide that this cost-sharing program shall remain in effect and payments thereunder shall be made only as long as the average market price (which the Department shall determine) paid to the trapper does not exceed four dollars per nutria pelt. The State's share of funding will be provided from the Wetlands Conservation and Restoration Fund upon approval by the Wetlands Conservation and Restoration Authority to a maximum of \$50,000 annually.

Administrative procedures for establishment and operation of the Nutria Control Cost Sharing Program are as follows:

- 1) Landowners with properties experiencing damage due to overpopulation of nutria will contact the Fur and Refuge Division concerning this problem.

- 2) Once preliminary information is obtained the Department will request that a Nutria Control Cost-Sharing application be completed by the landowner (see attached application).

- 3) This application will be reviewed and a field investigation of the damaged area will be conducted by Fur and Refuge Division personnel.

4) The application will be accepted or rejected on the basis of this field investigation and historical data provided by the landowner.

5) If the application is accepted, the Department and the landowner will enter into a cooperative endeavor agreement specifying each parties' responsibilities (see attached agreement).

6) Of major importance is the landowner's agreement to monitor trapping activity in order to verify the number of nutria harvested from the approved area of damage. This is a necessity in order to prevent illegal exploitation of this program.

7) At the completion of the annual trapping season, the landowner will provide appropriate harvest records and nutria sales receipts (as specified in the Cooperative Endeavor Agreement) to the Department for review.

8) Upon satisfaction of this Department, payment will be issued to the designated trapper for the appropriate amount.

9) The La. Department of Wildlife and Fisheries will compile harvest data, related payments and prepare a summary report on marsh conditions. A copy of these records and summary report will be prepared for each Cooperative Endeavor Agreement and copies will be provided to the Department of Natural Resources, Wetlands Conservation and Restoration Authority.

RECEIVED

MAY 15 1991

BUDDY ROEMER
GOVERNOR

State of Louisiana

OFFICE OF THE GOVERNOR

Baton Rouge

70804 0004

MAY 15 1991

POST OFFICE BOX 94004
(504) 342-7015

May 3, 1991

Greg Linscombe
Fur & Refuge Division
LA Dept. of Wildlife & Fisheries
P. O. Box 98000
Baton Rouge, LA 70898

RE: Draft Nutria Control Cost-Sharing Program

Dear Mr. Linscombe:

We have reviewed the draft documentation you submitted on the Nutria Control Program and we find it be acceptable to our office. As required by Act 552, the finalized program must be approved by the Wetlands Authority.

We look forward to working with you on this important effort.

Sincerely,

A handwritten signature in cursive script that reads "David Chambers".

David Chambers
Executive Assistant
for Coastal Activities

DC/bv

COOPERATIVE ENDEAVOR AGREEMENT
BETWEEN
LA. DEPT. OF WILDLIFE AND FISHERIES
AND

Coastal Landowner

Be it known, that on this day of _____,
the Louisiana Department of Wildlife and Fisheries (hereinafter
sometimes referred to as "State") and _____
(hereinafter sometimes referred to as "Landowner") hereby enter
into a Nutria Control Cost-Sharing Agreement under the following
terms and conditions.

1.

The State hereby agrees to furnish the following services:

1. Conduct appropriate field investigations.
2. Provide landowner and trappers with technical advice concerning nutria harvesting techniques and management.
3. Provide landowners and trappers with appropriate harvest record forms.
4. Review receipts of nutria sales and harvest records submitted by landowner.
5. Authorize appropriate payment to designated trappers of .50 cents per nutria with a pelt of marketable fur trapped and sold from lands which are experiencing damage.

2.

The Landowner hereby agrees to furnish the following services:

1. If requested, provide assistance for the state's field investigations.
2. Monitor trapping activity, assist trapper in completion of harvest record forms and verify number of nutria harvested and that all nutria were harvested from approved area of damage.
3. Certify and notarize as accurate, harvest record forms and nutria sales receipts submitted by designated trapper.

4. Provide documentation (copy of check) of payment to trapper by landowner representing .50 cents per nutria harvested and sold.

3.

The following individuals will be eligible for payment under this agreement.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

4.

Upon completion of the agreement, or if terminated earlier, all records, reports, worksheets or any other materials related to this agreement shall become the property of the State.

5.

This contract shall begin on _____ and shall terminate on _____.

6.

This agreement may be terminated by the State if the Landowner does not abide by the terms of this contract and all pertinent rules and regulations regarding the harvest of nutria.

THUS DONE AND SIGNED AT Baton Rouge, Louisiana, on the day, month and year first written above.

LANDOWNER

STATE

NUTRIA CONTROL COST SHARING PROGRAM APPLICATION

- I. Landowner: _____
Contact Person: _____
Address: _____
City: _____ State: _____
Telephone: Home () _____
Office () _____
- II. Description of land area being damaged by nutria (Please provide Township, Range and Section Numbers and a map delineating the approximate extent of damaged area):
- III. Please describe recent trapping history of damaged area.
- | | Yes | No |
|---|-------|-----|
| 1) Was the area trapped in 1988-89? | ___ | ___ |
| in 1989-90? | ___ | ___ |
| in 1990-91? | ___ | ___ |
| 2) How many nutria were harvested in 1988-89? | _____ | |
| in 1989-90? | _____ | |
| in 1990-91? | _____ | |
| 3) List name(s) of trappers. | _____ | |
| | _____ | |
| | _____ | |
| 4) Is the area currently being trapped? | Yes | No |
| 5) How many nutria have been harvested since 1 December 1991? | _____ | |
| 6) List name(s) of trappers. | _____ | |
| | _____ | |

IV. If approved, please describe nutria harvest plan for cost sharing program.

- 1) What method of harvest will be applied?
Trapping and/or shooting (please elaborate)

- 2) How many people will be assigned to harvest nutria on this damaged area? Provide a map delineating the area assigned to each trapper. Please provide the following information on each participant.

Name_____	Name_____
Address_____	Address_____
City_____ State____	City_____ State____
Telephone_____	Telephone_____
Soc. Security #_____	Soc. Security #_____
Trapping Lic. #_____	Trapping Lic. #_____

Name_____	Name_____
Address_____	Address_____
City_____ State____	City_____ State____
Telephone_____	Telephone_____
Soc. Security #_____	Soc. Security #_____
Trapping Lic. #_____	Trapping Lic. #_____

- 3) Who will be the individual(s) eligible for payment?
(Must also be listed in Part IV - 2) (Provide names)

- 1) _____
- 2) _____
- 3) _____

Regular Session, 1990

ENROLLED

SENATE BILL NO. 695

BY MESSRS. DOLAND, HINTON AND PICARD

ACT No. 552**An Act**

To enact Subpart B of Part V of Chapter 1 of Title 58 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 58:281 through 281.2, relative to nutria control; to authorize the establishment of a cost-sharing program with coastal landowners as an economic incentive to trap and control overpopulated nutria contributing to coastal land loss in certain areas; to provide for powers and duties of the secretary of the Department of Wildlife and Fisheries; to provide for approval; to provide for funding; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart B of Part V of Chapter 1 of Title 58 of the Louisiana Revised Statutes of 1950, comprised of R.S. 58:281 through 281.2, is hereby enacted to read as follows:

Subpart B. Nutria Control

§281. Nutria control cost-sharing; statement of intent

Recognizing the escalating deterioration of the state's fragile coastal wetlands due to an overpopulation of furbearing nutria, and recognizing the economic importance of the nutria to the Louisiana fur industry, the Department of Wildlife and Fisheries, in accordance with the Wetlands Conservation and Restoration Plan, is authorized to enter into cooperative endeavor agreements which establish a cost-sharing program as an economic incentive to trappers and coastal landowners in those areas of the state experiencing damage or loss of coastal lands due to the overpopulated nutria.

§281.1. Powers and duties of the secretary

In carrying out the purposes of the program authorized by R.S. 58:281, the secretary may do the following:

(1) Enter into cooperative endeavors with qualifying coastal landowners which provide for cost-sharing agreements with such coastal landowners; provide financial incentives for the trapping of nutria on land owner

(2) Determine, upon application by coastal landowners, which of the lands owned by such landowners are eligible for such financial incentives.

(3) Have the responsibility for planning, administration and program management, and for monitoring the results of the program authorized by this Subpart.

(4) Adopt and promulgate such rules and regulations, pursuant to the Administrative Procedure Act, as necessary to implement this program in order to trap and control overpopulated nutria contributing to coastal wetland loss.

5281.2. Cooperative agreements; cost-sharing

A. The secretary may enter into cooperative endeavor agreements with coastal landowners who qualify to participate in the program, whereby the following economic incentives are paid to trappers who have agreed to trap nutria on land of the coastal landowners which is experiencing damage or loss of coastal wetlands because of overpopulation by nutria, all on the following cost sharing basis.

B. Each coastal landowner experiencing such nutria problems and desiring to participate in the program shall submit to the department such information as the department may require concerning nutria destruction on his land and shall provide such security as the secretary may require to insure payment by him to the trapper of his portion of the economic incentive provided in Subsection C of this Section.

C. The cooperative endeavor agreement shall provide for cost sharing in that there shall be an additional one dollar economic incentive paid to trappers under contract with qualifying coastal landowners per nutria with a pelt of marketable fur trapped and sold from those lands of the coastal landowner which are experiencing damage or loss because of nutria overpopulation, as determined by the secretary. The state, on a one to one match, shall pay fifty cents of the one dollar incentive per nutria trapped and sold, and the coastal landowner shall pay the remaining fifty cents, directly to the trapper for trapping services. The agreements shall provide that this cost-sharing program shall remain in effect and payments thereunder shall be made only as long as the average market price which the secretary determines will be paid to the trapper does not exceed four dollars per nutria pelt.

Section 2. A. The secretary may annually submit a proposal to provide cost-sharing incentives to nutria trappers on lands determined to be eligible under R.S. 36:381.1 for approval by the Wetlands Conservation and Restoration Authority, not to exceed fifty thousand dollars annually. If approved, only that portion of the economic incentives paid to trappers on eligible lands may be funded using monies from the Wetlands Conservation and Restoration Fund. No other costs associated with the program shall be borne by the Wetlands Conservation and Restoration Fund.

B. The purposes of this program shall be consistent with the purposes set forth in the Wetlands Conservation and Restoration Plan.

Section 3. The Louisiana State Law Institute shall designate the portion of Part V of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1960 comprising R.S. 56:252 through 280 as Subpart A of that Part A, to be titled "Subpart A. General Provisions," or shall make such other designations and titles as the Institute believes is appropriate.

Section 4. This Act shall become effective on July 1, 1990.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

RESOLUTION

Louisiana Wildlife and Fisheries Commission

Nutria Cost Share Program

WHEREAS, reduced trapping effort because of low fur prices has resulted in this overabundance of nutria; and

WHEREAS, overpopulation of nutria in certain areas of Louisiana are contributing to the loss of Louisiana's valuable wetlands; and

WHEREAS, Act 552 enacted by the 1990 Regular Session of the Legislature provide for a cash incentive for nutria taken from damaged areas; and

WHEREAS, this same legislation authorizes the Secretary of the Department of Wildlife and Fisheries to promulgate rules for the administration of the nutria cost share program in accordance with the Administrative Procedures Act; and now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby give notice of intent to establish rules for the Nutria Cost Share Program.

BE IT FURTHER RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate these rules, including but not limited to the filing of the Fiscal and Economical Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

A. Kell McInnis, III
Acting Secretary

James H. Jenkins, Jr.
Chairman

July 9, 1991

LOUISIANA WILDLIFE AND FISHERIES COMMISSION


RESOLUTION

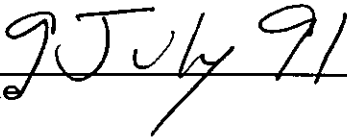
July 9, 1991

WHEREAS the Department of Transportation and Development is in need of a small portion of property owned by the Commission upon which the Alexandria (Region III) Regional/District Office is located for purposes of a road right-of-way, which parcel is more fully described on the attached Act of Sale which is made a part hereof.

THEREFORE, BE IT RESOLVED that this Commission does hereby authorize its Chairman to execute the attached Act of Sale or a version of same modified in accordance with such formalities and legal requirements as may be recommended by Counsel.


James H. Jenkins, Chairman


A. Kell McInnis, III
Acting Secretary


Date

STATE PROJECT NOS. 9-01-59 & 15-30-11
PINEVILLE - KINGSVILLE HIGHWAY
(L & A RAILROAD OVERPASS - US 165)
(US 71 - PINEVILLE EXPRESSWAY)
US 165, 167 AND 71
RAPIDES PARISH
PARCEL NO. 3-7

S A L E

STATE OF LOUISIANA:

PARISH OF RAPIDES:

For the price and on the terms and conditions hereinafter set forth, LOUISIANA WILDLIFE AND FISHERIES COMMISSION, (Federal Identification No. _____), herein represented by _____, its _____, being hereinafter sometimes referred to as the "Vendor"; have bargained and sold and do hereby grant, bargain, sell, transfer, assign, set over, convey, and deliver under all lawful warranties and with substitution and subrogation to all of my rights and actions of warranty, unto the Department of Transportation and Development of the State of Louisiana, herein represented by JAMES M. DOUSAY of said Department of Transportation and Development, authorized herein by Policy and Procedure Memorandum Number 31, dated August 24, 1977, as amended, issued by the Secretary of the Louisiana Department of Transportation and Development, who accepts this sale on behalf of the Department of Transportation and Development, the following described property, situated in the Parish of Rapides, Louisiana, to-wit:

D E S C R I P T I O N

One (1) certain tract or parcel of land, together with all the improvements situated thereon, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in Section 1, Township 4 North, Range 1 West, Land District North of Red River, Rapides Parish, Louisiana, identified as PARCEL NO. 3-7 as shown on Sheet No. 3 on the property map for STATE PROJECT NOS. 9-01-59 & 15-30-11, PINEVILLE - KINGSVILLE HIGHWAY, (L & A RAILROAD OVERPASS - US 165), (US 71 - PINEVILLE EXPRESSWAY), US 165, 167 & 71, RAPIDES PARISH, LOUISIANA, prepared by Jerry G. Lazenby, Registered Land Surveyor, dated August 5, 1988, March 14, 1990 and July 17, 1990, January 16, 1991, March 18, 1991, April 5, 1991 and May 13, 1991, said map being attached hereto and made a part hereof, which property is more particularly described as follows:

PARCEL NO. 3-7:

Begin at the intersection of the Vendor's easterly property line and the westerly existing right of way line of US 71 with the northerly property line of Johnny F. Jones, which point is 71.83 feet left at centerline of State Project No. 15-30-11 - 9-01-59, at Highway Survey Station 125+90.16; thence proceed North 89°55'11" East, a distance of 15.41 feet to a point and corner, said point being 87.24 feet left of Project 15-30-11 - 9-01-59 centerline at Highway Survey Station 125+90.16; thence proceed North 27°39'53" East, for a distance of 57.61 feet to a point and corner, said point being 70.00 feet left of Project 15-30-11 - 9-01-59 centerline at Highway Survey Station 126+27.31; thence proceed along the arc of a curve along said existing right of way line having a radius of 3083.89 feet (the chord of which bears South 12°32'30" West, 52.25 feet) a distance of 52.25 feet to the point of beginning and containing an area of .009 of an acre.

Being the same property acquired by Louisiana Wildlife and Fisheries Commission from the Board of Institutions of the State of Louisiana and/or Central Louisiana State Hospital on May 18, 1956 and recorded in Conveyance Book 497, Page 139 of the records of the Parish of Rapides, Louisiana.

This sale and conveyance is made for and in consideration of the price and sum of SIX HUNDRED SEVENTY-FOUR AND NO/100 (\$674.00) DOLLARS, which price Department hereby binds and obligates itself to pay to Vendor upon the approval by Department of Vendor's title to the hereinabove described property.

Vendor acknowledges and agrees that the consideration provided herein constitutes full and final payment for the property hereby conveyed and for any and all diminution in the value of the Vendor's remaining property as a result of the transfer of this property for highway purposes.

All ad valorem taxes assessed against the above described property for the four (4) years immediately preceding the current year have been paid. Taxes for the current year will be pro-rated in accordance with the provisions of Act No. 123 of the Legislature of the State of Louisiana for the year 1954.

It is understood and agreed that Vendor reserves unto himself, his heirs and assigns, all oil and gas minerals beneath the area hereinabove described, it is specifically understood, however, that while no exploration, drilling, nor mining of oil or gas minerals of any kind shall be conducted upon said area, there may be directional drilling from adjacent lands to extract the oil or gas minerals from under said area.

IN TESTIMONY WHEREOF, the parties hereto have signed and executed and acknowledged this instrument as their free and voluntary acts, in triplicate originals in the presence of the undersigned competent witnesses, as of the _____ day of _____, 19____.

W I T N E S S E S :

LOUISIANA WILDLIFE & FISHERIES
COMMISSION

BY: JAMES H. JENKINS
ITS: CHAIRMAN

DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT OF THE STATE
OF LOUISIANA

BY: _____
REAL ESTATE ADMINISTRATOR

AFFIDAVIT

STATE OF LOUISIANA:

PARISH OF EAST BATON ROUGE:

BEFORE ME, the undersigned authority this day personally appeared _____, to me personally known to be the identical person whose name is subscribed to the foregoing instrument as an attesting witness, who being first duly sworn on his/her oath, says: That he/she subscribed his/her name to the foregoing instrument as a witness, and that he/she knows JAMES H. JENKINS, CHAIRMAN, LOUISIANA WILDLIFE & FISHERIES COMMISSION, who executed the same and saw him sign the same as his voluntary act and deed, and that he/she, the said _____, subscribed his/her name to the same at the same time as an attesting witness.

AFFIANT-

SWORN TO and subscribed before me, this _____ day of _____, 19____.

NOTARY PUBLIC


LOUISIANA WILDLIFE AND FISHERIES COMMISSION


RESOLUTION

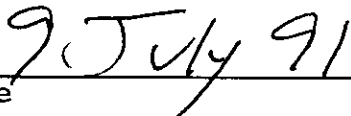
July 9, 1991

WHEREAS the Commission supports an exchange of property between the Department and one Osey Singletary concerning two (2) parcels of land, each consisting of twenty-six (26) acres more or less, situated in St. Tammany Parish which parcels are more fully described in the attached Act of Exchange which is made a part hereof.

THEREFORE, BE IT RESOLVED that this Commission does therefore authorize its Chairman to execute on behalf of this Commission the attached Act of Exchange or a version of same modified in accordance with formalities and legal requirements deemed necessary by Counsel.


James H. Jenkins, Chairman


A. Kell McInnis, III
Acting Secretary


Date

ACT OF EXCHANGE

BETWEEN:

LOUISIANA WILDLIFE AND
FISHERIES COMMISSION

STATE OF LOUISIANA

AND

PARISH OF EAST BATON ROUGE

OSEY E. SINGLETARY

BE IT KNOWN THAT BEFORE US, the undersigned Notaries Public, duly commissioned and qualified, in and for the Parish of East Baton Rouge, State of Louisiana, therein residing, and in the presence of the witnesses hereinafter named and undersigned:

PERSONALLY CAME AND APPEARED:

LOUISIANA WILDLIFE AND FISHERIES COMMISSION, a constitutionally established agency of the State of Louisiana, herein represented by James H. Jenkins, Jr., Chairman of the Commission, and A. Kell McInnis III, Acting Secretary of the Department of Wildlife and Fisheries, duly authorized by Resolution adopted at a regular meeting of the commission, a copy of which is attached hereto;

and

OSEY E. SINGLETARY, married twice, first to Carolyn Puckett from whom he was divorced in 1950 in Sabastian County, Arkansas; secondly to Daphne Flinders with whom he lives and resides, a resident of the legal age of majority of St. Tammany Parish, Louisiana whose permanent mailing address is Route 4, Box 420, Slidell, Louisiana 70461;

who declared that they did, and do by these presents, make an exchange of property on the express terms and conditions hereinafter set forth, as follows, to-wit:

For and in consideration of the transfer to it as hereinafter set forth, the said LOUISIANA WILDLIFE AND FISHERIES COMMISSION does hereby grant, bargain, assign, set over, transfer and deliver with all legal warranties and with full substitution and subrogation in and to all the rights and actions of warranty which it has or may have against all

preceding owners and vendors, unto OSEY E. SINGLETARY, the following described property, situated in the Parish of St. Tammany, Louisiana, to-wit:

A certain parcel of land situated in St. Tammany Parish, Louisiana, containing 26.2 acres, more or less, and being more particularly described as the northeast quarter of the southwest quarter located west of Interstate Highway 59 north of old Louisiana Highway 11 and the exit ramp of Interstate Highway 59, all in Section 31, Township 7 South, Range 15 East, St. Tammany Parish, Louisiana subject to the existing mineral reservation in favor of the department's predecessor in Title.

AND NOW, for and in consideration of the transfer to him as aforesaid, OSEY E. SINGLETARY, does by these presents grant, bargain, assign, transfer, set over and deliver with all legal warranties and with full substitution and subrogation in and to all the rights and actions of warranty which he has or may have against all preceding owners and vendors, unto LOUISIANA WILDLIFE AND FISHERIES COMMISSION, the following described property, to-wit:

A certain parcel of land situated in St. Tammany Parish, Louisiana, containing 26.6 acres, more or less, and being more particularly described as the east half of the northeast quarter of the northwest quarter and the north half of the northeast quarter of the southeast quarter of the northwest quarter of Section 31, Township 7 South, Range 15 East, St. Tammany Parish, Louisiana.

This exchange is made and mutually accepted by the parties hereto, it being agreed and understood that the properties exchanged are equal in value.

This exchange is consummated in accordance with Act 399 of 1986 signed and approved on July 2, 1986.

TO HAVE AND TO HOLD the said respective properties, the one to the other, their heirs and assigns, free from any lien, mortgage or encumbrance whatever.

THUS DONE AND PASSED at Baton Rouge, Louisiana by the LOUISIANA WILDLIFE AND FISHERIES COMMISSION, represented herein

as aforesaid, in the presence of the undersigned Notary Public
and competent witnesses on the _____ day of
_____, 1991 after due reading of the whole.

WITNESSES:

LOUISIANA WILDLIFE AND
FISHERIES COMMISSION

BY: _____

James H. Jenkins, Jr.
Chairman, Wildlife and
Fisheries Commission

BY: _____

A. Kell McInnis, III
Acting Secretary,
Department of Wildlife and
Fisheries

NOTARY PUBLIC

NAME: _____
(Print or Type)

MY COMMISSION EXPIRES: _____

THUS DONE AND PASSED at Baton Rouge, Louisiana by OSEY E.
SINGLETERY in the presence of the undersigned Notary Public and
competent witnesses on the _____ day of _____, 1991
after due reading of the whole.

WITNESSES:

OSEY E. SINGLETERY

NOTARY PUBLIC

NAME: _____
(Type or Print)

MY COMMISSION EXPIRES: _____

**RULE
DEPARTMENT OF WILDLIFE AND FISHERIES**

In accordance with R.S. 49:950, the Administrative Procedure Act, notice is hereby given that the Department of Wildlife and Fisheries does adopt a rule to regulate and administer the Louisiana Natural and Scenic Rivers System by amending and reenacting Sections 101, 103, 105, 107, 109, 111, 113, 115 and 117 of Chapter 1, Part IX, Title 76, LA Administrative Code; and Sections 119, 121, 123, 125 and 127 are hereby enacted.

**Title 76
WILDLIFE AND FISHERIES**

Part IX. Natural and Scenic River System

**Chapter 1. Guidelines and Procedures for the Administration of the
Natural and Scenic Rivers and Historic and Scenic Rivers**

Section 101. Authority and Purpose

A. These regulations are adopted pursuant to the authority of the "Louisiana Scenic Rivers Act", Acts 1988, No. 947, Section 1, eff. July, 27, 1988, or L.R.S. 56:1840, et seq.

B. The purpose of these regulations is to establish procedures and provide a mechanism whereby the Department of Wildlife and Fisheries can preserve, protect, develop, reclaim and enhance the wilderness qualities, scenic beauties and ecological regime of rivers and streams or segments thereof included within the Louisiana Natural and Scenic Rivers and Historic and Scenic Rivers System and for the further purposes of preserving aesthetic, scenic, recreational, fish, wildlife, ecological, archaeological, geological, botanical and other natural and physical features and resources found along these rivers and streams or segments thereof.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1841(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Office of the Secretary, LR 17: (1991).

Section 103. Definitions

A. "Administrator" means the Secretary of the Department of Wildlife and Fisheries.

B. "The Act" means the Louisiana Scenic Rivers Act, Acts 1988, No. 947, Section 1. eff. July 27, 1988, or LRS 56:1840 et.seq.

C. "Channel realignment" means the practice by which dredging, ditching, or other means are used to shorten or re-route the natural stream course.

D. "Channelization" means the practice of changing a natural stream, or segment thereof, into a man-made ditch or canal with channels of a relatively uniform width and depth usually necessitating the removal of trees and other woody vegetation adjacent to the stream and constructed for the purpose of accelerating water runoff.

E. "Selective harvesting" means the removal of trees, either as single scattered individuals or in small groups at relatively short intervals resulting in openings generally less in width than twice the height of the dominant trees. Repeated indefinitely, selective harvesting ensures the continuous establishment of reproduction, and an uneven aged

stand adequate to encourage and maintain stream shading and stream and stream bank integrity.

F. "Clearing and snagging" means the practice of removing most obstructions, trees, snags and other impediments that retard the natural stream flow.

G. "Historic and Scenic River" means a river, stream, or bayou or segment thereof that has been designated by the Legislature as part of the Louisiana Historic and Scenic River System.

H. "Natural and Scenic River" means a river, stream, or bayou or segment thereof that has been designated by the legislature as part of the Louisiana Natural and Scenic Rivers System.

I. "Normal Activities" means those activities on lands that do not directly and significantly degrade the ecological integrity of a Natural and Scenic River.

J. "Person" means an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, receiver, tutor, curator, executor, administrator, fiduciary, organization or representative of any kind, the United States Government, federal agency, the State of Louisiana, state agency, municipality, commission, political subdivision, local governing authority or special subdivision of the State of Louisiana.

K. "Pollutant" means any substance in concentrations which tend to degrade the chemical, physical, biological, or radiological integrity or quality of the water in a river.

L. "Reservoir construction" means any permanent dam or impoundment which alters the shoreline of a river in the System.

M. "River" includes rivers, streams, bayous and segments thereof and their waters, and generally those bodies of water having the characteristics of being confined within a distinct, longitudinal channel which is defined by continuous or interrupted banks and which exhibits a width to length ratio of less than one ($W/L < 1$).

N. "Scenic servitude" means a contract between the adjacent riparian landowner and the Administrator that shall be in the nature of a development agreement for the purpose of preserving the natural state of the landscape through mutual agreement on the activities which might affect the natural landscape.

O. "Surface servitude" means a contract between the stream owner and the Administrator that shall relieve the landowner of liabilities and assure the public of access and use of the stream surface.

P. "System" means all Natural and Scenic Rivers and all Historic and Scenic Rivers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1842.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Office of the Secretary, LR 17: (1991).

Section 105. Applicability of these Regulations

These regulations shall apply to all uses proposed to be undertaken on the stream or on adjacent lands within one hundred feet (100') of a designated System stream by any "person" whether or not concurrence, authorization, or matching funding is provided by any state agency, local governing authority, political subdivision, or special district of the State of Louisiana, unless restriction of those uses are exempted from regulations pursuant to the provisions of LRS 56:1852(B).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1850 and 56:1852(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Office of the Secretary, LR 17: (1991).

Section 107. Duties and Powers of the Administrator

The Administrator may delegate powers and duties to individuals within the Department of Wildlife and Fisheries for the implementation of these regulations and procedures and to ensure compliance with the Act. The Administrator shall provide said individuals with sufficient technical and clerical assistance to accomplish this purpose.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1843.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Office of the Secretary, LR 17: (1991).

Section 109. Study and Recommendation of Natural and Scenic Rivers

A. Study and Report to the Legislature -- Upon nomination for inclusion or declassification of a river by the legislature through passage of a concurrent resolution, the Administrator shall study, file a report, and issue a recommendation, to the natural resource committees of the legislature regarding any river nominated for inclusion in or declassification from the System. The Administrator's recommendation shall be made no sooner than eight months and no later than twelve months from the date of nomination for inclusion and no later than one-hundred twenty days from the date of nomination for declassification. All recommendations shall use evaluation procedures provided for in these regulations.

B. Criteria for Study and Recommendation -- In undertaking the study and making the recommendation, the Administrator shall consider, but will not be limited to, the following criteria:

1. Whether the river is free flowing;
2. Whether the river has been channelized, cleared or snagged, realigned, inundated, or otherwise altered, within the past twenty-five years;
3. Whether the river has a shoreline covered by native vegetation;
4. Whether the river has no or few man-made structures along its banks;

5. Whether the scene as viewed from the river is pleasing (i.e. primitive or rural-pastoral) or these conditions are restorable;
6. Whether the river and its setting possess natural and recreational values of outstanding quality;
7. Whether the river and its setting are large enough to sustain substantial recreational use and to accommodate existing uses without undue impairment of the natural values of the resource or quality of the recreational experience;
8. Whether the river will provide present and future benefits to Louisiana citizens through preserving, protecting, and enhancing its wilderness qualities, scenic beauties, and ecological regimes and its aesthetic, scenic, recreational, fish, wildlife, ecological, geological, botanical, and other natural and physical features and resources found along the river and adjacent lands;
9. Whether the river receives any point source discharges that would tend to cause pollution;
10. Existing uses of adjacent lands within one hundred feet (100') of the ordinary low water line of the river, and the economic impact of such usages;
11. State ownership of the bed of the river; and
12. Appropriate longitudinal boundaries for the river segment to be included within the system.

C. Consultation -- Prior to submission of the report and recommendation to the legislature, the Administrator shall consult with the Louisiana State Planning Office, the Department of Environmental Quality, the Louisiana Department of Culture, Recreation and Tourism, the Department of Agriculture and Forestry and other agencies that the Administrator determines may have an interest in the evaluation.

D. Form of Report and Recommendation -- The report and recommendation to the Legislature shall:

1. Be in the form of a written report;
2. Include the evaluation of the criteria and the recommendation of the Administrator;
3. Include the written comments of other agencies; and
4. Become part of the record of the decision regarding the proposed recommendation.

E. Copies of Report -- The Administrator shall provide copies of the report to the Louisiana State Planning Office, the Department of Environmental Quality, the Department of Culture, Recreation and Tourism, the Department of Agriculture and Forestry, the governing authorities of those parishes through which the river flows, and all readily identifiable adjacent landowners. Upon payment to the department for reproduction costs, the Administrator shall provide copies of the report to all other interested parties who have made a written request for the report.

F. Written Comments and Public Hearing -- As part of the evaluation process and prior to any recommendation to the legislature, the Administrator shall:

1. Provide all interested parties and the public with the opportunity to submit written comment on the nomination, allowing a forty-five (45) day comment period;
2. Pursuant to the Louisiana Administrative Procedures Act, hold not less than one public hearing in the vicinity of the river nominated for inclusion in or declassification from the System to receive comments and recommendations from all interested parties and the public. The Administrator shall give its first notice at least thirty (30) days prior to the hearing.
3. Notices referred to in this Section will be published in the official journal of each parish in which the river is located in three separate issues and in the official state journal; however, the comment period shall begin with publication of the notice in the official state journal. The Administrator shall notify each parish governing authority of the hearing by letter to its chief executive officer. The Administrator shall also give special notice of the public hearing to all readily identifiable landowners with property

adjacent to the nominated stream and to other interested parties who have requested such notifications.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1845.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Office of the Secretary, LR 17: (1991).

Section 111. Management Plan

- A. Period for Plan Development -- Within one (1) year from the time a river is designated as a Natural and Scenic River or a Historic and Scenic River by the Legislature the Administrator shall adopt and commence development of a management plan for each river or designated segment. For rivers designated prior to January 1, 1989 development of management plans will commence no later than January 1, 1990.
- B. Consultation -- The plans shall be developed by the Administrator in consultation with the:

1. Louisiana State Planning Office;
2. Department of Environmental Quality;
3. Louisiana Department of Culture, Recreation and Tourism;
4. Department of Agriculture and Forestry; and
5. Any other agency that the Administrator determines may have an interest in the plan.

- C. Plan Contents -- Each Management Plan shall be in the form of a written document, and shall:

1. Be consistent with the purposes, policies, and provisions of the Scenic Rivers Act;
2. Contain a clear description and delineation in narrative and graphic form (maps or photographs) of:
 - a) Natural, cultural and aesthetic resources and features of the river area;
 - b) Existing land and water uses;
 - c) Land ownership; and
 - d) Existing land and water use controls, management devices and programs.
3. Set forth a detailed program to address existing features which have been identified as being important to be protected and preserved, and potential issues, problems and needs that impact, or may impact, resources and features of the river. The plan may include recommendations to federal, state, local and private entities on enhancement and reclamation of resources and features on a System river and may specify the mechanism through which the recommendations can be implemented.
4. Set forth management goals, objectives, policies, standards and management guidelines for the preservation of the System river; and
5. Be reviewed every five years.

6. Provide for the continuing involvement of the public in the development, implementation and administration of the plan.
- D. Copies -- The Administrator shall provide copies of the plan to:
1. Louisiana State Planning Office;
 2. Department of Environmental Quality;
 3. Department of Culture, Recreation and Tourism;
 4. Governing authorities of those parishes through which the river flows;
 5. Department of Agriculture and Forestry;
 6. All readily identifiable adjacent landowners; and
 7. Interested parties who have made a written request.
- E. Written Comments and Public Hearing -- Prior to adoption of the final management plan, the Administrator shall:
1. Provide all interested parties and the public, the opportunity to submit written comment on the draft management plan, allowing a forty-five (45) day comment period;
 2. Pursuant to the Louisiana Administrative Procedures Act, hold not less than one public hearing in the vicinity of the river included in the management plan to receive comments and recommendations from all interested parties and the public. The Administrator shall give the first notice at least thirty (30) days prior to the hearing.

3. Notices referred to in this Section will be published in the official journal of each parish in which the river is located in three separate issues and in the official state journal; however, the comment period shall begin with publication of the notice in the official state journal. The Administrator shall notify each parish governing authority of the hearing by letter to its chief executive officer. The Administrator shall also give special notice of the public hearing to all readily identifiable landowners with property adjacent to the nominated stream and to other interested parties who have requested such notifications.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1845.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Office of the Secretary, LR 17: (1991).

Section 113. Planning Considerations

LRS 56:1848 specifies responsibility of local, state, and federal agencies

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1848.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Office of the Secretary, LR 17: (1991).

Section 115. Prohibited Activities

A. The following uses of a System river, and all uses functionally related thereto, shall be absolutely prohibited:

1. Channelization;
2. Clearing and snagging;
3. Channel realignment;
4. Reservoir construction; and
5. Commercial cutting or harvesting of trees or timber in violation of the provisions of LRS 56:1854.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1853.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Office of the Secretary, LR 17: (1991).

Section 117. Permitted Activities

A. All activities that may detrimentally affect or significantly degrade the wilderness quality, aesthetic values, or the ecological integrity of a System river shall be subject to a permit except:

1. Those prohibited uses set forth in Section 115 of these regulations;
2. Normal activities of private landowners within the boundaries of their property as provided by LRS 56:1852(B); and
3. Harvesting of trees in accordance with LRS 56:1854, provided that prior notification of any commercial

harvesting of trees shall be given to the Louisiana Office of Forestry.

B. Activities requiring permits shall include, but not be limited to, the following activities:

1. Crossings by roads, bridges, railroads, pipelines or utilities;
2. Sharing of land and airspace by such roads, railroads, pipelines and utilities;
3. Point Source discharge of any pollutant (Prior to any person applying to the Department of Environmental Quality for a permit to discharge any pollutant into a System river, the person shall give written notice to the Administrator);
4. Prospecting, drilling and mining for non-renewable natural resources;
5. Structures and buildings of any kind or size;
6. Piers, boat slips, bulkheads and landings;
7. Commercial uses, activities and access.
8. Commercial signs or other forms of outdoor advertising that are visible from the waters within a natural and scenic river.
9. Water withdrawals, except for withdrawals made by an individual, adjacent property owner solely for residential purposes.

C. Application -- Upon written request, the Administrator shall provide an application form to any person wishing

to apply for a permit. Any person who proposes to make any permitted use of a System river, shall submit one original and six (6) copies of a complete application to the Administrator. The application shall contain:

1. Name, address and telephone numbers of the applicant;
2. Names and addresses of adjoining property owners whose property also adjoins the waterway;
3. Background information on the proposed use;
4. A detailed description of the proposed use;
5. Full description of any portion of the project which is under development or is completed;
6. Photographs and maps of the area where the uses would be made;
7. Full and thorough evaluation of the use's effect on the criteria listed in subsection F, below;
8. Any alternatives to the proposed action;
9. Description of steps taken to minimize detrimental effects to the System river, and measures taken to ensure preservation of the System;
10. Identification of all authorizing local, state, and federal agencies and all permits applied for or obtained from such agency;
11. Description of any noncompliance by applicant, adjudicated within Louisiana, regarding the Louisiana Scenic Rivers Act, the United States Wild

and Scenic River Act, and all regulations and ordinances pertaining to these acts.

- D. Insufficient and Incomplete Application -- Upon receipt of an application, the Administrator shall determine whether the application is sufficient and complete in light of the requirements enumerated in subsection C, above. If the application is not sufficient and complete, the Administrator shall return the application to the applicant with a description of how and why the petition is insufficient or incomplete. The applicant shall be entitled to resubmit the petition after making the necessary changes or amendments.
- E. Application Fees -- An administrative fee of one-hundred (\$100) dollars shall accompany each application. The administrative fee shall be deposited immediately upon receipt into the state treasury to be credited to the Scenic River Fund.
- F. Project Evaluation -- In determining whether or not a permit should be issued, the Administrator's evaluation shall consider the purposes for which the System is established and shall be made with a view toward maintaining the fundamental character and unique natural values associated with the System river. Any evaluation required to be made by this Section, shall fully and thoroughly consider, but not be limited to, the following criteria:

1. Wilderness qualities;
2. Scenic values;
3. Ecological regimes;
4. Recreation;
5. Aesthetic values;
6. Fish and other aquatic life;
7. Wildlife;
8. Historical and Archaeological resources;
9. Geological resources;
10. Botanical resources;
11. Water Quality;
12. Cultural resources;
13. Economics;
14. Compliance history as required in Subsection 117(C)(11);
15. Any reasonable alternatives to the proposed use; and
16. Whether reasonable steps have been taken by the applicant to minimize and/or offset any detrimental effects on natural and physical features and resources.

A field evaluation of the project site by the Administrator's staff may be required. If such a field evaluation is necessary, the applicant shall pay a service charge of \$135 for each day required to complete the actual, on-site field evaluation.

- G. Consultation -- Prior to any final decision on any application for a permit, the Administrator shall prepare a written evaluation of the application and shall consult with the Louisiana State Planning Office, the Department of Environmental Quality, the Louisiana Department of Culture, Recreation and Tourism, the Department of Agriculture and Forestry and any other agency the Administrator determines may have an interest in the permit. The consultation shall be conducted within thirty (30) days of receipt of a sufficient and complete application. By the end of this time period, the reviewing agencies shall forward any written comments and supporting documents to the Administrator. However, the Administrator can grant additional time for a consultation for good cause.
- H. Written Comments and Public Hearing -- Prior to making the final decision on a permit application, the Administrator shall:
1. Provide all interested parties and the public, the opportunity to submit written comment on the permit application, allowing a forty-five (45) day comment period;
 2. In response to a showing of substantial interest by the public for a hearing as demonstrated by written requests from no less than twenty-five (25) persons or from a group representing not less than twenty-

five (25) members, or upon request by the applicant, or at the Administrator's own discretion, hold a public hearing. The hearing will be held whenever such a hearing might clarify one or more issues concerning the application, and to receive comments and recommendations from all interested parties and the public. If a hearing is held it shall be in the vicinity of the river. The Administrator shall give its first notice at least thirty (30) days prior to the hearing.

3. Notices referred to in this Section will be published in the official journal of each parish in which the river is located in three separate issues and in the official state journal; however, the comment period shall begin with publication of the notice in the official state journal. The Administrator shall notify each parish governing authority of the hearing by letter to its chief executive officer. The Administrator shall also give special notice of the public hearing to all readily identifiable landowners with property adjacent to the nominated stream and to other interested parties who have requested such notifications.

- I. Time Period for Review of the Application -- The Administrator shall make a decision whether to grant or

deny the permit within fifteen (15) days after the adjournment of the hearing or the end of the written comment period, whichever is latest.

- J. Waiver of Evaluation Time Period -- Upon the specific authorization of the Administrator, or the State Legislature, the evaluation required by Section 117, subsections (F) through (I), and/or the procedural delays provided for in subsections L and M may be waived; provided, however, that the Administrator may only authorize a waiver in emergency circumstances clearly appearing from the face of the applicant's application and only after concurrence in the waiver is given by personnel of the Department of Wildlife and Fisheries, the Department of Culture, Recreation and Tourism, State Planning Office, the Department of Agriculture and Forestry, and the Department of Environmental Quality.
- K. Reports of Permitted Uses -- To the extent that it is feasible, it shall be the policy of the Administrator to inform users and potential users of System rivers as to what types of uses will be permitted. In carrying out this policy, the Administrator shall, from time to time, publish reports describing what types of uses have been permitted and what types of uses have not been permitted after the evaluations required by Section 117 have been undertaken.

L. Denial of Permits -- The Administrator shall deny a permit for use of a System river if, after a full and thorough evaluation, the Administrator finds that the proposed or alternative use would be unreasonable in light of the objective of maintaining the fundamental character and unique natural values associated with the System river.

M. Permit conditions -- In issuing any permit, the Administrator may:

1. require conditions in the use and may require that appropriate steps be taken to minimize and/or offset the detrimental effects on the natural and physical features and resources enumerated by subsection F, above, as a condition to the granting of the permit.
2. require assurance, including security, during the construction phase of the project, to assure compliance with permit requirements.

In setting the required assurance and security, the Administrator shall consider any noncompliance by applicant, adjudicated within Louisiana, regarding the Louisiana Scenic Rivers Act, the United States Wild and Scenic Rivers Act, and all regulations and ordinances pertaining to these acts.

N. Final Decision -- The final decision by the Administrator on any application for a permit shall:

1. Be in the form of a written report;

2. Be part of the record of the decision;
 3. Include an evaluation of the impacts on the criteria provided for in subsection F, above; and
 4. Give full and meaningful consideration and appropriate weight to the comments from other reviewing agencies.
- O. Copies -- The Administrator shall provide copies of the final decision to:
1. Louisiana State Planning Office;
 2. Department of Environmental Quality;
 3. Department of Culture, Recreation and Tourism;
 4. Department of Agriculture and Forestry; and
 5. Other interested parties who provide a written request.
- P. Modification and Revocation -- The Administrator may modify or revoke a permit, for good cause, after notice and an adjudicatory hearing, unless waived by permittee. Good cause includes, but is not limited to:
1. Any adjudicated violation of the permit conditions, the Act or these Regulations;
 2. New and material evidence regarding the evaluation criteria listed in section 117(F); and
 3. Intentional misrepresentation of a material fact on the permit application.
- Q. Failure to Begin Activity: Extensions -- The permit shall expire if the activity has not begun within

eighteen months of permit issuance, except that the Administrator may grant a maximum of two extensions of six months each upon a finding that there has been no significant change in circumstances.

- R. Appeals of Final Decisions -- Any person aggrieved by any final decision of the Administrator shall be entitled to an appeal in accordance with the Administrative Procedure Act, LRS 49:950 et. seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1844, 56:1849, 56:1852 and 56:1854.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Office of the Secretary, LR 17: (1991).

Section 119. Civil Penalties and Enforcement

- A. For any violation of the provisions of Section 117 (A) and (B), or any permit condition the Administrator, in accordance with the LRS 49:950 et seq. (Administrative Procedure Act) may:
1. Impose a civil penalty of up to one thousand dollars for each violation;
 2. Suspend, annul, withdraw, or revoke any permit;
 3. Institute civil proceedings to enforce department rulings in the district court for the parish in which the violation occurs; and
 4. Issue cease and desist orders, compliance orders, and obtain injunctions or other appropriate relief upon determining that a violation of these

regulations has occurred, is about to occur, or is occurring.

- B. Each day in which a violation occurs prior to voluntary cessation of the activity as a result of the receipt of any lawful order from the Administrator or the Administrator's authorized representative, or prior to cessation as the result of an injunction, shall be a separate offense.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1851(A) and (B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Office of the Secretary, LR 17: (1991).

Section 121. Criminal Penalties and Enforcement

Criminal penalties shall be assessed in accordance with LRS 56:1851.C.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1851.C.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Office of the Secretary, LR 17: (1991).

Section 123. Complaints

Any person shall have the right to file a complaint with the Administrator alleging a violation of the Act or regulations. When, from the complaint, it appears to the Administrator that there is reasonable cause to believe that a violation has occurred, is about to occur, or is occurring,

the Administrator shall conduct an investigation. If the investigation indicates that a violation has occurred, is about to occur, or is occurring, the Administrator shall initiate an enforcement action pursuant to Section 119 or shall refer the matter to the Attorney General or appropriate District Attorney for an enforcement action pursuant to the statutes referenced in Section 121. The Administrator shall respond to the complainant in an appropriate manner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1841 and 56:1843.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Office of the Secretary and Fisheries, LR 17: (1991).

Sections 125. Grants, Donations and Servitudes

Pursuant to LRS 56:1843(2) and LRS 56:1844 the Administrator may accept donations and grants for the purposes of administering the Scenic River System from public and private sources. The donations shall be deposited immediately upon receipt into the state treasury to be credited to the Scenic River Fund. Further, pursuant to LRS 56:1843(7), the Administrator may enter into scenic and surface servitude agreements with landowners for the purposes of the Scenic River Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1843(2), 56:1843(7) and 56:1844.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Office of the Secretary, LR 17: (1991).

Section 127. Severability

If any provision of these regulations is held invalid, such invalidity shall not affect the other provisions of these regulations which can be given effect without the invalid provisions, and to this end the provisions of these regulations are here declared severable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1850.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Office of the Secretary, LR 17: (1991).

A. Kell McInnis III
Acting Secretary

Tuesday, July 9, 1991

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Honorable Jimmy Jenkins, Chairman
Members Jeff Schneider, Bert Jones, Warren I. Pol, Houston Foret,
Norman F. McCall and Pete Vjunovich

Gentlemen:

My name is Ronald (Ronnie) Picou, and I reside at 602 San Antonio Boulevard, Houma, Louisiana, 70360.

On behalf of my fellow colleagues (some of whom are present here today, and many who are here in petition):

PETITION I: We petition you, the Commission, to consider, vote, and promulgate into law a revised statute for: a clear and visible line of distinction - a visible, sign type marker of a reflective nature, affixed on a high land point to point (piling on land) as indicated in Exhibit A (known as Caillou Boca).

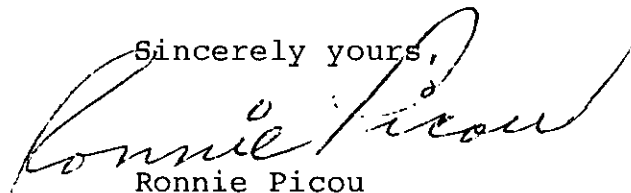
A. This new line of distinction would be visible day or night (with no excuse for violations). There is much confusion as to the correct existing line.

B. This area also would become a safe haven for smaller vessels in harvesting migrating shrimp without danger to life and property from the elements of nature during the shrimp exodus.

PETITION II: This second petition also requests of the Commission a revised statute to include, again, a clear line of distinction, Exhibit B; the new line to become, from the northwest end of the tank battery platform at Wine Island Pass (across the Monkey Bar - will explain if so desired) to Wine Island; from Wine Island (now Wine Island rock jetty) to the northwest tip end of Timbalier Island at Cat Island Pass, also using reflective markers from point to point to point as indicated in Exhibit B. This also would become a safe haven as explained in Petition I.

Thanking you for your kind consideration in this most important matter, I remain

Sincerely yours,



Ronnie Picou

Attachments

Questions Please!

FISHING
YEAR

YEAR	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY
90-91	42,663	54,690	64,391	158,466	243,765	83,750	59,400	114,556	165,023	122,260	16719
89-90	183,277	132,166	146,300	325,410	75,445	76,145	67,441	92,265	(adjusted) 26,026	(prelim)	(thru 7/77)
88-89	61,227	123,541	141,184	302,241	316,866	178,001	146,669	59,173	560	447	2
87-88	58,017	74,114	90,913	87,988	249,086	143,565	98,287	196,722	64,373	12,717	34,919
86-87	78,603	158,250	157,276	233,756	204,314	110,792	126,569	245,782	244,144	191,870	217,832
85-86	15,440	66,576	88,509	214,576	219,796	68,111	120,639	246,287	254,854	191,966	160,520

SEPTEMBER

	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY
90-91	42,663	97,353	161,744	320,210	563,975	647,725	707,125	821,681	986,704 (adjusted)	1,108,964 (prelim)	1,125,683 (thru 7/77)
89-90	183,277	315,443	461,743	787,153	862,598	938,743	1,006,184	1,098,449	1,124,475		
88-89	61,227	184,768	325,952	628,193	945,059	1,123,060	1,269,729	1,328,902	1,329,462	1,329,909	1,329,911
87-88	58,017	132,131	223,044	311,032	560,118	703,683	801,970	998,692	1,063,065	1,075,782	1,110,701
86-87	78,603	236,853	394,129	627,885	832,199	942,991	1,069,560	1,315,342	1,559,486	1,751,356	1,969,188
85-86	15,440	82,016	170,525	385,101	604,897	673,008	793,647	1,039,934	1,294,788	1,486,754	1,647,274

Fescue
 C. 10341
 1904 Aug

Natural Areas Registry Program
Summary as of June 26, 1991
Prepared by Gary Lester

- * Initiated with Act 324 of the 1987 legislative session
- * The Louisiana Nature Conservancy currently contracted by LDWF to administer the program.
- * Purpose is to protect through a voluntary agreement with the landowner, ecologically significant areas throughout the state. The owner voluntarily agrees to manage and protect the area according to a management plan developed by LDWF's Natural Heritage Program.
- * Summary to date:
 - total registries (signed agreements)=52
 - total parishes=22
 - total natural areas=37
 - total participants=42
 - total acres registered=34,284.8
 - public land: 4,703 acres
 - private land: 29,581.8 acres

- * Kisatchie National Forest registry summary
 - Hillside bogs: 4 sites have been registered. Bogs are extremely diverse and very sensitive fire-dependent natural communities. They provide essential habitat for an abundance of herbaceous plant species. Currently, there are 6 state- and globally rare plant species known to occur in these bogs.

<u>Middle Branch Bog:</u> Kisatchie District	75 acres
<u>North Bayou L'Ivrogne Bog:</u> Kisatchie District	85 acres
<u>Steep Hill Bog:</u> Kisatchie District	25 acres
<u>Drakes Creek Bog:</u> Vernon District	205 acres

Other natural areas registered:

Wild Azalea Seep Natural Area: This site is a mature bayhead swamp located near the head of the Wild Azalea Trail. It is habitat for one state-rare plant species (bog moss) and three orchids.

Evangeline District 117 acres

Saline Bayou Sandy Woodlands N. A.: Located along Saline Bayou, a National Wild and Scenic River. The area consists of extremely dry, deep sand, and oak woodlands. This unusual plant community is habitat for 9 state-rare plants.

Winn District

64 acres

Proposed additions:

Sheard Branch Boulders Natural Area: This area is a very scenic stream with clear-flowing water, possessing abundant outcroppings of large sandstone boulders. Additionally, the hairy lip fern is known in Louisiana only from this site.

Kisatchie District

40 acres

Sheard Branch Sandstone Barrens N. A.: This area consists of two floristically and geologically significant sandstone outcrops or barrens. Bluestem grass, false golden rod, blazing stars, flame-flowers and numerous mosses and lichens are found growing on these barrens. The small-flowered flame-flower is rare in Louisiana, occurring only on sandstone outcrops. This is the only protected site for the species in the state.

Kisatchie District

30 acres



Loess (wind deposited soil) bluff in Tunica Hills area.

Photograph by Latimore Smith



Gopher tortoise

Photograph by Gary Lester

Large-leaved rose gentain



Photograph by Latimore Smith



Southern yellow lady's slipper orchid

Photograph by Nelwyn Gilmore

Guarding Louisiana's Hidden Treasures

By Gary Lester
Natural Heritage Program Coordinator

Biologists investigate and map everything from bald eagle nests to herbaceous bogs with bug-devouring plants. The next step is to find the landowner.

WHEN YOU'RE IN West Feliciana Parish, you're in Audubon country. You can tramp the Tunica Hills and enjoy many of the sights and sounds that so entranced that naturalist a century and a half ago.

Unawares, you might startle a Webster's salamander or brush up against a sprig of wild ginseng or send a rainbow darter scurrying. And you probably wouldn't realize, unless someone told you, that you were visiting the last stronghold in Louisiana of those three life forms.

Until recent years, the vital job of identifying, locating and preserving such increasingly scarce animals and plants had been neglected. Now there is a comprehensive program to save them and their habitat wherever it might be, and anyone may participate.

It is called the Louisiana Natural Heritage Program. Started three years ago by The Nature Conservancy, it is presently an interagency effort of state government involving the Louisiana Department of Wildlife and Fisheries and the Department of Natural Resources.

Coordinating this program is Gary D. Lester of LDWF's Fur & Refuge Division. Lester's staff includes a zoologist, Richard Martin; a botanist, Nelwyn Gilmore; and an ecologist, Latimore Smith.

They are concerned with investigating and mapping everything from bald eagle nests (33 have been counted in Louisiana) to herbaceous bogs with their bug-devouring plants. The information they gather is fed into computers and studied.

At the moment, Lester's crew is looking hard for

traces of a prairie that really vanished. Once an expanse of 2.3 million acres that covered southwest Louisiana, it sustained its own spectrum of plants and teeming animal species.

As far as can be determined, some of the only surviving remnants parallel the rights-of-way of early railroads. One site exists near Midland in Acadia Parish.

Another area identified by the LNHP is in Caldwell Parish. Eons ago, before the patient Mississippi River had woven its carpeting of earth, Louisiana lay beneath ocean waters inhabited by the leviathans of primeval creation. When the sea receded, the bones of those creatures sank into the soil and remained behind.

Now after ages of upheaval and erosion, the fossilized whale bones and shark's teeth are exposed to view. A trove of such relics, priceless to scholars, has been found in the wooded ravines of the Copenhagen Hills near the town of Columbia in Caldwell Parish. Geologists say they are 22 million years old. Lagniappe is the number of plant species ensconced at the site.

Louisiana is one of 47 states conducting Natural Heritage programs, which arose under auspices of The Nature Conservancy, the nation's largest private land conservation organization. The department and TNC work closely as partners in conservation of Louisiana's resources.

While the purpose of the Natural Heritage Program is to identify ecologically significant areas and to maintain a computerized inventory, the task of enrolling landowners falls to the Natural Areas Registry Program. More than 25 states have registries.

The Natural Areas Registry Program was authorized by legislation written in 1987 by Representative Manny Fernandez and Senator Sammy Nunez. This new program will be operated jointly by the department and The Nature Conservancy's newest Louisiana office and provides for voluntary registration by landowners of significant areas identified by the Heritage data base. A Natural Areas Registry Specialist, Wylie Barrow, is on

board the staff of five of the Louisiana Nature Conservancy.

To qualify as a Louisiana natural area eligible for registration the property must contain one or more of the following: 1) habitat for rare, threatened or endangered plants or animals; 2) plant communities characteristic of the state's native vegetation; 3) outstanding natural features, such as old growth forests, caves, or wetlands. The Registry Specialist will be contacting landowners of Heritage identified sites over the next year.

One current source of concern is the gopher tortoise, which has been listed by federal authorities as threatened. Only a few of the tortoises are left in Louisiana, and most of those are in Washington Parish.

Near Covington, a homeowner in a new suburban development learned that he was sharing his three acres with a community of gopher tortoises. To shelter them, he allowed underbrush to grow wild.

Heritage biologists heard about his efforts and informed him that, although meaning well, he was doing precisely the wrong thing—gopher tortoises prefer sandy, open terrain for their burrows. The situation has been corrected.

Perhaps you know where a red-cockaded woodpecker is nesting, where a lady's-slipper orchid grows or where some other natural wonder makes its home. If so, you can help preserve it for posterity by including the site in the LNHP database.

Once you've done so, you may be asked to enter into an agreement to keep that habitat intact and to report any problems that occur. Such agreements are not legally binding and do not in any way affect your rights of ownership. You will receive a certificate attesting to your contribution to a splendid cause.

For information, write to Louisiana Natural Heritage Program, Fur and Refuge Division, P.O. Box 15570, Baton Rouge, LA 70895, or Louisiana Nature Conservancy, P.O. Box 4125, Baton Rouge, LA 70821.



Upland deciduous forest, Tonica Hills area in West Feliciana Parish.



Large coneflower

Photograph by Edman Smith

Photograph by N. Lynn Gilmore

DECLARATION OF EMERGENCY
DEPARTMENT OF WILDLIFE & FISHERIES
WILDLIFE AND FISHERIES COMMISSION

ALLIGATOR SEASON

In accordance with the emergency provisions of R.S. 49:953(B), and the Administrative Procedures Act, R.S. 49:967(D) which provides that the Wildlife and Fisheries Commission use emergency procedures to set the wild alligator season, the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held 9 July 1991 in Baton Rouge, Louisiana, does hereby set the 1991 wild alligator season dates as follows:

Wild Alligator Season 31 August 1991 through 29 September 1991.

This emergency adoption is necessary to allow Department biologists adequate time to gather the biological data required to recommend season dates and harvest quotas based on up to date information.

James H. Jenkins, Jr.
Chairman

NOTICE OF INTENT

DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

TITLE 76
WILDLIFE AND FISHERIES

PART V. WILD QUADRUPEDS AND WILD BIRDS

Chapter 1. Wild Quadrupeds

Section 107. Game Breeder's License

The Department of Wildlife and Fisheries does hereby give notice of its intent to amend and adopt the rule governing game breeder's license, that part dealing with wolves and wolf crosses. The specific section to be amended is as follows:

9. *WOLVES AND WOLF CROSSES
 - A. No license will be issued to possess red wolves or red wolf hybrids.
 - B. Persons possessing full-blooded gray wolves must obtain a permit from the U.S. Fish and Wildlife Service. No license from the Louisiana Department of Wildlife and Fisheries necessary.
 - C. Persons possessing gray wolf-domestic dog hybrids must retain proof of parentage for each animal. No license from the Louisiana Department of Wildlife and Fisheries necessary.

Single animal: 15 feet long x 8 feet wide x 6 feet high; double cage area for each additional animal; secluded den area required, 4 feet x 4 feet for each animal; sturdy wire required.

Interested persons may submit oral and written comments relative to the proposed amendment until 4:30 p.m., October 18, 1991, and are to be sent to Johnnie Tarver, Administrator, Habitat Conservation Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:171.
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:631 (September, 1988), Amended L.R. 17: (, 1991).

James H. Jenkins, Jr.
Chairman

COMMERCIAL FISHERMAN'S SALES CARD AND RECEIPT PROGRAM
Status Report to the Louisiana Wildlife and Fisheries Commission
July 9, 1991
Karen Foote, Administrator, Fisheries Research Division

Pursuant to RS 56:303.7, the Commission is to institute a commercial fishermen's sales card and receipt system by January 1, 1992. The Department will propose a system to the Commission for promulgation through the Administrative Procedures Act. Institution of a successful sales card system will only be possible if funds are available. Current estimates are that it would cost \$500,000 per year.

The commercial fishermen's sales card would be used in lieu of the commercial fisherman's license. It would be similar to a credit card and will have at least the fisherman's name and commercial license number on it. The Commission may require other applicable information on the card such as gear licenses and the fisherman's picture. The card would be used to imprint a multi-part receipt form to record every sale from a commercial fisherman to a wholesale-retail dealer. Other information included on the receipt would be species sold, weight, gear used, area fished and effort. The form would have a place for the fisherman to voluntarily report unit price and dollar value.

One part of the receipt would be retained by the fisherman, one part retained by the wholesale-retail dealer and the third part would be forwarded to the Department within ten working days of the end of the month. The Department would computerize sales receipt information. This system would collect all information on Louisiana landings for state and federal fisheries management purposes.

The Department is modelling the program after Florida's marine fisheries trip ticket system. Implementation will include extensive coordination between the Office of Fisheries, the Enforcement Division, Licensing Section and the Computer Center.

OCTOBER 1991

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
SEPTEMBER 1991 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	NOVEMBER 1991 S M T W T F S 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	Last quarter moon. Archery and commercial hunting preserve seasons open.	1 Largemouth bass and sac-a-lail feeding heavily.	2 Initial snow and white-fronted geese arrive in southwest Louisiana.	Brown shrimp begin spawning offshore.	Rabbit and squirrel seasons open.
6	7	8	9	10	11	12
Sand seatrout quit spawning.	Columbus Day (observed).	First quarter moon. Begin flooding rice fields and green trees for waterfowl.	Speckled trout and redfish move to upper estuary.	Woodcock begin to appear in Louisiana.	Oysters begin to store glycogen and fatten as water temperatures cool.	The azure blue flowers of the soapwort gentian can be found along small creeks in the pinelands.
13	14	15	16	17	18	19
Flood crabs fish ponds.	Largemouth bass move into shallows at Toledo Bend.	Secretive yellow rails arrive this month to spend the winter in southwestern Louisiana fields and marshes.	Full moon.	United Nations Day.	Look for ripe persimmons in upland forests and fields.	
20	21	22	23	24	25	26
Daylight Saving Time ends.			Last quarter moon.	Halloween. If you don't want to maintain hummingbird feeders throughout the winter, they should be removed now.		
27	28	29	30	31		

ENFORCEMENT CASE REPORT

JUNE, 1991

ENFORCEMENT CASE REPORT-JUNE, 1991

REGION 1

ENFORCEMENT-172

TOTAL CASES-172

OTHER - 0

73-Boating

21-Angling Without A License

51-Fish Without Resident Pole License

1-Take Game Fish Illegally (Specify)

2-Take Undersize Black Bass

3-Take/Possess Illegal Size Black Bass

1-Not Abiding By Commission Rules and Regulations (Specify)

3-Take Or Sell Commercial Fish Or Bait Species Without
Commercial License

3-Take Commercial Fish Without Commercial Gear License

2-Possess Firearm While Frogging

1-Hunt Or Discharge Firearm From Public Road Or Road
Right-Of-Way

7-Driving While Intoxicated

1-Littering

3-Other Than Wildlife And Fisheries

CONFISCATIONS:

30 Yards of Gill Net, 1 Undersize Bass, 1 Black Bass, 1 5500C
Garcia Reel, 1 5000B Garcia Reel, 1 Pro Caster Rod, 1 Pro Angler
Rod, 1 Spoonbill Catfish, 12 Channel Catfish, 1 Black Bass.

REGION 2

ENFORCEMENT-134

TOTAL CASES-134

OTHER - 0

46-Boating

30-Angling Without A License

45-Fish Without Resident Pole License

PAGE 2

REGION 2 CONT'D.

1-Possession of Turkey Closed Season

2-Driving While Intoxicated

1-Interfering With An Officer

1-Littering

8-Other Than Wildlife And Fisheries

REGION 3

ENFORCEMENT-223

TOTAL CASES-226

OTHER - 3

139-Boating

34-Angling Without A License

9-Fish Without Resident Pole License

4-Taking/Possessing Over Limit Or Undersized Gamefish (Specify)

1-Taking/Possessing Illegal Size Black Bass

2-Take Or Sell Commercial Fish Or Bait Species Without
Commercial License

2-Take Commercial Fish Without Commercial Gear License

1-Sell And/Or Buy Fish Without Wholesale/Retail Dealer's
License (Resident Or Non-Resident)

1-Use Illegal Mesh Nets

2-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours
(Except Deer, Bear and Turkey)

10-Possess Firearm While Frogging

2-Possession Of Wild Quadrupeds Or Wild Birds Without Permit

1-Illegal Possession Of Alligators Eggs, Or Their Skins

3-Not Abiding By Rules And Regulations On WMA

5-Criminal Trespass On State Property

7-Criminal Trespass

PAGE 3

REGION 3 CONT'D.

1-Illegal Spotlighting From Public Road

2-Other Than Wildlife And Fisheries

CONFISCATIONS:

600' of 2" Gill Net, 1 4'9" Alligator Skin, 1 60' of 3" Gill Net,
1 22 Caliber Rifle

REGION 4

TOTAL CASES-119

ENFORCEMENT-119

OTHER - 0

67-Boating

1-Allow Another To Use Recreational License

16-Angling W/O A License

29-Fish Without Resident Pole License

1-Take Game Fish Illegally

3-Take Or Sell Commercial Fish Or Bait Species W/O Commercial
License

1-Use Illegal Mesh Nets

1-Take Or Possess Undersize Commercial Fish

CONFISCATIONS:

33 white perch, 8 hoop nets with leads, 1 white bass, 125 yards of
2 inch gill net, 20 lbs. of catfish.

PAGE 4

REGION 5

ENFORCEMENT-233

TOTAL CASES-243

OTHER - 10

123-Boating

51-Angling Without A License

3-Use Gear Without Recreational Gear License

1-Angling Without Saltwater License

3-Take Game Fish Illegally (Specify)

1-Taking/Possessing Over Limit Or Undersized Gamefish (Specify)

3-Take Or Possess Undersized Red Drum (Recreational) 16" Minimum

1-Take Or Possess Undersized Spotted Sea Trout (Recreational)

2-Take Or Possess Undersized Black Drum (Recreational)

1-Take Or Possess Illegal Size Black Bass

1-Not Abiding By Commission Rules and Regulations (Specify)

1-Fail To Have Commercial License In Possession

**4-Take Or Sell Commercial Fish Or Bait Species Without
Commercial License**

1-Take Commercial Fish Without Commercial Gear License

1-Take Or Possess Commercial Fish Without A Vessel License

**1-Sell And/Or Buy Fish Without Wholesale/Retail Dealer's
License (Resident Or Non-Resident)**

1-Fail To Maintain Records

3-Leave Nets Unattended

1-Take Or Possess Undersize Commercial Fish

1-Blocking Passage Of Fish

1-Failure To Mark/Tag Nets

4-Possess Or Sell Undersized Crabs (Commercial-Hard Or Soft)

2-Use Oversize Butterfly Nets

PAGE 5
REGION 5 CONT'D.

- 1-Hunting Without Non-Resident License
- 2-Taking Or Possessing Alligators Closed Season
- 1-Not Abiding By Rules And Regulations On WMA
- 1-Illegal Possession of Drugs Or Marijuana
- 27-Littering

CONFISCATIONS:

40 Spotted Trout, 10 Red Drum, 4 Black Drum, 2 Hoop Nets, 5 White Perch, 1 Cast Net, 12 Black Bass, 1 King Mackerel, 1 Alligator, 19 Boxes Crabs, 2 Butterfly Nets, 6 Ice Chests, 4,978 Lbs. Shrimp, 1 Buck Deer Fawn, 1 Marijuana Cigarette

REGION 6

ENFORCEMENT-167

TOTAL CASES-184

OTHER - 17

133-Boating

- 15-Angling Without A License
- 20-Fish Without Resident Pole License
 - 1-Use Gear Without Recreational Gear License
 - 3-Taking/Possessing Over Limit or Undersized Gamefish (Specify)
 - 6-Take Or Possess Undersized Black Drum (Recreational)
 - 1-Sell And/Or Buy Fish Without Wholesale/Retail Dealer's License (Resident Or Non-Resident)
 - 2-Possession of Live Alligators Without Permit
 - 1-Possession of Live Non-Game Quadrupeds Without Permit
 - 2-Driving While Intoxicated

CONFISCATIONS:

14 Black Drum, 1 Alligator, 1 Red Fox Pup, 3 Undersized Drum, 175 Sac-A-Lait.

PAGE 6

REGION 7

ENFORCEMENT-354

TOTAL CASES-356

OTHER - 2

198-Boating

104-Angling W/O A License

31-Fish Without Resident Pole License

2-Resisting Arrest

2-Criminal Trespass

6-Driving While Intoxicated

2-Interfering With An Officer

3-Littering

8-Other Than Wildlife And Fisheries

CONFISCATIONS:

NONE

REGION 8

ENFORCEMENT-239

TOTAL CASES-281

OTHER - 42

63-Boating

33-Angling Without A License

8-Fish Without Resident Pole License

2-Use Gear Without Recreational Gear License

11-Angling Without Saltwater License

2-Trespass Or Destroy Areas For Fish Propagation

2-Taking/Possessing Over Limit Or Undersized Gamefish (Specify)

2-Take Or Possess Undersized Red Drum (Recreational) 16" Minimum

15-Take Or Possess Undersized Spotted Sea Trout (Recreational)

REGION 8 CONT'D.

- 3-Fail To Have Commercial License In Possession
- 10-Take Or Sell Commercial Fish Or Bait Species Without Commercial License
- 7-Take Commercial Fish Without Commercial Gear License
- 11-Take Or Possess Commercial Fish Without A Vessel License
- 1-Fail To Maintain Records
- 2-Leave Nets Unattended
- 2-Allow Another To Use Commercial License
- 4-Fail To Comply With Permit Requirements
- 2-Permit Unlicensed Person To Operate Commercial Vessel
- 1-Permit Unlicensed Person To Use Commercial Gear
- 9-Take/Possess Oysters Without Oyster Harvester License
- 2-Take/Possess Undersized Black Drum Commercial
- 2-Fail To Comply With Shark Permit And Report Rules
- 22-Trawling In Closed Season (Inside Waters)
- 16-Trawling Inside Waters With Oversized Double Rigs (Over 25')
- 3-Use Oversize Test Trawls (Dept. Reg.) (Outside Trawls)
- 5-Butterflying In Closed Season
- 7-Take Shrimp Illegal Gear
- 6-Use Oversize Butterfly Nets
- 2-Failure To Have Written Permission
- 3-Taking Oysters From Unapproved Area (Polluted)
- 4-Harvest Oysters Without Oyster Harvester License
- 5-Hunting Without Resident License
- 1-Failure To Abide By Commission Rules

PAGE 8

REGION 8 CONT'D.

2-Hunting From Moving Vehicle And/Or Aircraft

2-Hunt Or Discharge Firearm From Public Road Or
Road Right-Of-Way

2-Hunt Raccoons Or Opossums Illegally

1-Taking Or Possessing Alligators Closed Season

1-Illegal Possession Of Alligators Eggs, Or Their Skins

5-Other Than Wildlife And Fisheries

CONFISCATIONS:

2 Guns, 15 Shells, 1 Black Drum Permit, 3 Licenses, 9 Boats, 6 Gill Nets For A Total Of 450 Yards, 3 Oyster Dredges, 37 Trawls, 3 Butterfly Nets, 3 Ice Chests, 123 Sacks Of Oysters, 3 Red Drum, 181 Black Drum, 145 Speckled Trout, 35 Black Bass, 1-3 Ft. Alligator, 1 Alligator Carcass (Destroyed), 3,623 Lbs. of Tunafish, 611 Lbs. of Swordfish, 107 Lbs. of Wahoo, 85 Lbs. Of Dolphin, 56 Lbs. Of Oilfish, 5,026 Lbs. Of Black Tip Shark, 14,322 Lbs. Of Black Drum, A Total Of 19,340 Lbs. Of Fish Seized Was Sold For A Total Of \$9,379.90, A Total Of 5,567 Lbs. Of Shrimp Seized Sold For A Total Of \$6,026.30

REGION 9

ENFORCEMENT-484

TOTAL CASES-487

OTHER - 3

197-Boating

50-Angling Without A License

9-Fish Without Resident Pole License

2-Use Gear Without Recreational Gear License

41-Angling Without Saltwater License

1-Not Abiding By Rules And Regulations of Commission

2-Take Game Fish Illegally

12-Taking/Possessing Over Limit Or Undersized Gamefish (Specify)

7-Possessing Over Limit Of Red Drum

REGION 9 CONT'D.

- 2-Fail To Have Fish Intact (Saltwater)
- 32-Take Or Possess Undersized Red Drum (Recreational) 16" Minimum
- 41-Take Or Possess Undersized Spotted Sea Trout (Recreational)
- 7-Take Or Possess Undersized Black Drum (Recreational)
- 5-Possess Over Limit Spotted Sea Trout
- 10-Take Or Sell Commercial Fish Or Bait Species Without Commercial License
- 10-Take Commercial Fish Without Commercial Gear License
- 13-Take Or Possess Commercial Fish Without A Vessel License
- 1-Use Illegal Mesh Nets
- 11-Take Or Possess Undersize Commercial Fish
- 2-Buy Commercial Fish From Un-Licensed Fisherman
- 2-Blocking Passage Of Fish
- 1-Allow Another To Use Commercial License
- 1-Take/Possess Oysters Without Oyster Harvester License
- 3-Fail To Report Commercial Fisheries Data
- 1-Trawling In Closed Season (Inside Waters)
- 1-Use More Than Four Trawls (Dept. Reg.) (Outside Waters)
- 4-Take Shrimp Illegal Gear
- 1-Fail To Pay Severance Tax (Shrimp)
- 2-Taking Oysters From Unapproved Area (Polluted)
- 1-Failure To Pay Severance Tax
- 6-Buying Or Selling For Resale Untagged Oysters
- 1-Possession Of Live Wild Quadrupeds, Wild Birds Without Permit (Except Deer)
- 1-Possess Firearm While Frogging

PAGE 10

REGION 9 CONT'D.

2-Illegal Possession Of Alligators Eggs, Or Their Skins

4-Not Abiding By Rules And Regulations On WMA

1-Resisting Arrest

CONFISCATIONS:

479 Spotted Sea Trout, 28 Black Drum, 86 Red Drum, 134 Black Bass, 140 Lbs. Shrimp, 159 Lbs. of Shrimp Seized Sold For \$205.05, 574 Whole Catfish, 1,336 Lbs. of Catfish, 563 Lbs. of Catfish Seized Sold For \$173.10, 18 Boxes Of Crabs, 450 Lbs. of Crabs, 40 Sacks of Oysters, 5 Flounders, 1 Shark, 1 Cobia, 1 Alligator, 2 Spanish Mackerel, 4 Cardinals, 4 Bluejays, 2 Boats, 1 Motor, 1 Ice Chest, 1 Commercial License, 1 Wholesale/Retail Dealer License, 2 Butterfly Nets, 1 Trawl

PAGE 11

OYSTER STRIKE FORCE

TOTAL CASES-29

- 1-Boating
- 1-Taking Oysters From Unapproved Area (Polluted)
- 6-Harvest Oysters Without Oyster Harvester License
- 10-Take Or Sell Commercial Fish Or Bait Species Without
Commercial License
- 1-Take Or Possess Commercial Fish Without A Vessel License
- 2-Allow Another To Use Commercial License
- 1-Permit Unlicensed Person To Operate Commercial Vessel
- 2-Take/Possess Undersized Black Drum Commercial
- 5-Other Than Wildlife And Fisheries

PAGE 12

S.W.E.P.

RIP TIDE AND DELTA TIDE

130 BOATS CHECKED

106 ENGINE HOURS

TOTAL CASES-14

7-Trawling Inside Waters Using Oversize Trawls

3-Trawling Using Oversize Test Trawl Over 16 Feet

4-Failed To Comply With Permit Regulations. Take Black Drum Over 27 Inches. No Permit.

CONFISCATIONS:

7 Trawls, 1 Black Drum Permit, 4,630 Lbs. of shrimp seized sold for \$5,209.25, 2,384 Black Drum Fish, Total Weight of 37,560 Lbs. Of Fish Seized Sold For \$4,181.00.

**Delta Tide was picked up for dry dock on June 17 for engine overhaul and paint on bottom as of the end of the month still up.

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TOTAL CASES ENFORCEMENT -2125

TOTAL CASES OTHER DIVISIONS- 77

TOTAL CASES SWEP - 14

TOTAL CASES OSF - 29

GRAND TOTAL -2245

COMMISSION MEETING
ROLL CALL
Tuesday, July 9, 1991
Baton Rouge, LA
10 A.M.

	Attended	Absent
Jimmy Jenkins (Chairman)	<u>✓</u>	<u> </u>
Houston Foret	<u>✓</u>	<u> </u>
Bert Jones (Gming)	<u>✓</u> (12 noon)	<u> </u>
Norman McCall	<u>✓</u>	<u> </u>
Warren Pol	<u>✓</u>	<u> </u>
Jeff John Schneider	<u> </u>	<u>✓</u>
Peter Vujnovich	<u>✓</u>	<u> </u>

Mr. Chairman:

There are 6 Commissioners in attendance and we have a quorum.
Acting Secretary Kell McInnis is also present.

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
JULY 9, 1991

1. Roll Call
2. Approval of Minutes of June 6, 1991.
3. Signs for Offshore Shrimp Line at Caillou Boca - Houston Foret
4. Move Offshore Shrimp Line at Wine Island Pass - Houston Foret
5. Spotted Trout Quota-Limits-Size Discussions - Warren Pol
6. Ratification of the 1991-92 Resident Game Hunting Seasons - Hugh Bateman
7. Initiate Selection of 1991-92 Hunting Season Dates for Dove, Snipe Woodcock, Rails and Gallinules - Hugh Bateman
8. Resolution for Approval of Land Acquisition - Bob Love
9. Emergency Declaration/Alligator Season Dates - Tommy Prickett
10. Nutria Control Cost Share Program - Tommy Prickett
11. Scenic Streams Rule Review/Informational Purposes - Blue Watson
12. Natural Area Registry/Kisatchie National Forest Recognition - Johnnie Tarver
13. Notice of Intent on Rule Change - Game Breeders/Wolves and Wolf Hybrid - Richard Martin
14. Secretarial Authority for Fall Inshore Shrimp Season Opening Resolution - Phil Bowman
15. Proposed Commercial Fisheries Sales Card - Karen Foote
16. Right of Way Deed to DOTD - Alexandria Office - Don Puckett
17. Pearl River WMA Land Exchange - Don Puckett
18. Presentation to Commission on Oil Spill Restoration Activities/Trusteeship - Bettsie Baker

Page 2
July 9, 1992

19. Monthly Law Enforcement Report - Colonel Winton Vidrine
20. Acting Secretary's Report to the Commission - A. Kell
McInnis III
21. Set October Meeting Date
22. Public Comments:

Louisiana Department of Wildlife and Fisheries

NEWS RELEASE

A. Kell McInnis III
Acting Secretary



CONTACT
(504) 765-2923

91-82

7/1/91

AGENDA FOR COMMISSION MEETING

The next public board meeting of the Louisiana Wildlife and Fisheries Commission will be held at 10 a.m. Tuesday, July 9, in the Louisiana Room of the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge.

The following will be on the agenda:

1. Roll call.
2. Approval of minutes for June 6.
3. Signs for offshore shrimp line at Caillou Boca.
4. Move offshore shrimp line at Wine Island Pass.
5. Spotted seatrout quota-limits-sizes discussion.
6. Ratification of the 1991-92 resident game hunting seasons.
7. Initiate selection of 1991-92 hunting dates for dove, snipe, woodcock, rails and gallinules.
8. Resolution for approval of land acquisition.
9. Emergency declaration for wild alligator harvest dates.
10. Nutria control cost share program.
11. Scenic Streams rule review for informational purposes.
12. Natural Area Registry - Kisatchie National Forest recognition.
13. Notice of Intent on rule change - game breeder's license/wolves and wolf hybrid.

more

first and last add agenda

14. Secretarial authority for fall inshore shrimp season opening.
15. Proposed commercial fisheries sales card.
16. Right of way deed to DOTD - Alexandria office.
17. Pearl River WMA land exchange.
18. Presentation to Commission on oil spill restoration activities/trusteeship.
19. Monthly law enforcement report for June.
20. Acting Secretary's report to the Commission.
21. Set October meeting date.
22. Public comments.

June 27, 1991

Approved AKM

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Louisiana Wildlife and Fisheries Commission will be at 10:00 A.M. on Tuesday, July 9, 1991, at the Wildlife and Fisheries Building, Louisiana Room, 2000 Quail Drive, Baton Rouge, Louisiana.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes for June 6, 1991
3. Signs for Offshore Shrimp Line at Caillou Boca
4. Move Offshore Shrimp Line at Wine Island Pass
5. Spotted Trout Quota-Limits-Sizes Discussion
6. Ratification of the 1991-92 Resident Game Hunting Seasons
7. Initiate Selection of 1991-92 Hunting Dates for Dove, Snipe Woodcock, Rails and Gallinules
8. Resolution for Approval of Land Acquisition
9. Emergency Declaration for Wild Alligator Harvest Dates
10. Nutria Control Cost Share Program
11. Scenic Streams Rule Review for Informational Purposes
12. Natural Area Registry-Kisatchie National Forest Recognition
13. Notice of Intent on Rule Change-Game Breeder's License/Wolves and Wolf Hybrid
14. Secretarial Authority for Fall Inshore Shrimp Season Opening
15. Proposed Commercial Fisheries Sales Card
16. Right of Way Deed to DOTD - Alexandria Office

17. Pearl River WMA Land Exchange
18. Presentation to Commission on Oil Spill Restoration Activities/Trusteeship
19. Monthly Law Enforcement Report for June
20. Acting Secretary's Report to the Commission
21. Set October Meeting Date
22. Public Comments

June 27, 1991

Approved AKM

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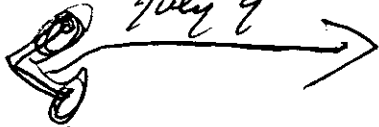
AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
JULY 9, 1991

1. Roll Call
2. Approval of Minutes of June 6, 1991.
3. Put Signs for Offshore Shrimp Line at Caillou Boca - Houston Foret
4. Move Offshore Shrimp Line at Wine Island Pass - Houston Foret
5. Discussion of Spotted Trout Quota-Limits-Sizes - Warren Pol
6. Ratification of the 1991-92 Resident Game Hunting Seasons - Hugh Bateman
7. Initiate Selection of 1991-92 Hunting Season Dates for Dove, Snipe Woodcock, Rails and Gallinules - Hugh Bateman
8. Resolution for Approval of Land Acquisition - Bob Love
9. Emergency Declaration/Alligator Season Dates - Tommy Prickett
- (M) 10. Nutria Control Cost Share Program - Tommy Prickett
- (M) 11. Scenic Streams Rule Review/Informational Purposes - Blue Watson
12. Natural Area Registry/Kisatchie National Forest Recognition - Johnnie Tarver
- (M) 13. Notice of Intent on Rule Change - Game Breeders/ Wolves and Wolf Hybrid - Richard Martin
14. Secretarial Authority for Fall Inshore Shrimp Season Opening ~~Phil Bowman~~
- (M) 15. Proposed Commercial Fisheries Sales Card - Karen Foote
16. Monthly Law Enforcement Report - Colonel Winton Vidrine
17. Acting Secretary's Report to the Commission - A. Kell McInnis III
18. Set October Meeting Date
19. Public Comments:

Johnnie T. Butch B. Tommy P.
 Blue W. Dave M. Game M.
 Gary C. Bob C. Noel K.
 Richard M. Greg C.

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 BATON ROUGE, LOUISIANA

JULY 9, 1991



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17. Set October Meeting Date
15. Public Comments:

Public Hearing on Proposed 1991-92 Game Hunting Season

State of Louisiana



A. Kell McInnis III
Acting Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898
(504) 765-2800

Buddy Roemer
Governor

June 24, 1991

M E M O R A N D U M

TO: Chairman and Members of Commission
FROM: A. Kell McInnis III, Acting Secretary *AKM*
RE: July Board Meeting Agenda

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WARREN I. POL

4. Discussion of Spotted Trout Quota-Limits-Sizes

ROBERT CHABRECK

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8. Alligator Season Dates - Emergency Declaration

June 24, 1991
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JERRY CLARK

13. Secretarial Authority for Fall Inshore Shrimp Season Opening
14. Proposed Commercial Fisheries Sales Card

WINTON VIDRINE

15. Monthly Law Enforcement Report

A. KELL MCINNIS

16. Acting Secretary's Report to the Commission
17. Set October Meeting Date

PUBLIC COMMENTS

C: Bettsie Baker
Robert Chabreck
Jerry Clark
Don Puckett
John Medica
Division Chiefs



RECEIVED

LA. DEPARTMENT OF
WILDLIFE & FISHERIES

JUL 15 1991

OFFICE OF WILDLIFE

A. Kell McInnis, III
Acting Secretary

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

June 6, 1991

M E M O R A N D U M

TO: Undersecretary, Assistant Secretary-Office of Wildlife,
and Assistant Secretary-Office of Fisheries

FROM: A. Kell McInnis III, Acting Secretary AKM

RE: Commission Meeting Agenda - July 9, 1991

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Thank you for your cooperation!

AKM/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

June 16.
I' would like too ask
permmision for a day in the
Bay too check the State seed
grounds
of Honks
Peter Veynaich

Sharon
I would like to
add something
to this

State of Louisiana



A. Kell McInnis III
Acting Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898
(504) 765-2800

Buddy Roemer
Governor

AAS
THIS GONE OUT?
(News Release
that is !)

See #
15-new

June 24, 1991

BUTTER

MEMORANDUM

TO: Chairman and Members of Commission
FROM: A. Kell McInnis III, Acting Secretary *AKM*
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WARREN I. POL

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ROBERT CHABRECK

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JERRY CLARK

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14. Proposed Commercial Fisheries Sales Card

WINTON VIDRINE

15. Monthly Law Enforcement Report

A. KELL MCINNIS

16. Acting Secretary's Report to the Commission
17. Set October Meeting Date

PUBLIC COMMENTS

15. PRESENTATION TO COMMISSION ~~ON THE STATE AS TRUSTEE~~
OIL SPILL RESTORATION ACTIVITIES/TRUSTEESHIP
RE: OPA, CERCLA, SERA . . .
- C: Bettsie Baker
Robert Chabreck
Jerry Clark
Don Puckett
John Medica
Division Chiefs
- (I'll get with you on this.)

①

any
need to
DOTD - Alex. office

Comm. Agenda

②

Pearl River WMA
land exchange

Sharyn - add these
to Comm. Agenda -

I will
handle both

Don



A. Kell McInnis, III
Acting Secretary

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 785-2800

BUDDY ROEMER
GOVERNOR

June 6, 1991

M E M O R A N D U M

TO: Undersecretary, Assistant Secretary-Office of Wildlife,
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AKM/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

*Under whose name should this
go under? Sharyn*

- 1/PUT SIGNS FOR OFFSHORE SHRIMP LINE
AT CAILLOU BOCA.
- 2/MOVE THE OFFSHORE SHRIMP LINE AT
WINE ISLAND PASS.

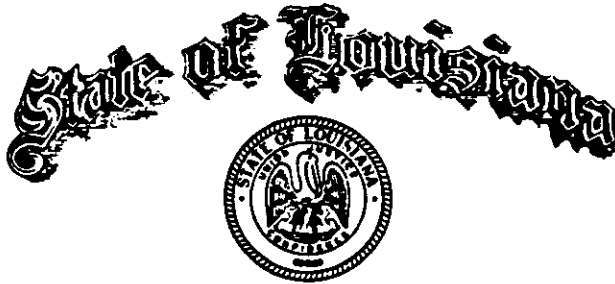
*From Houston Forest
Rec. 6-19-91*

S-B

RECEIVED
LA. DEPARTMENT OF
WILDLIFE & FISHERIES

JUN - 7 1991

ASSISTANT SECRETARY
OFFICE OF FISHERIES



Jerry
Bennie F.
Karen F.
John R.

Return to me by June 20th!

JC

A. Kell McInnis, III
Acting Secretary

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
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BUDDY ROEMER
GOVERNOR

June 6, 1991

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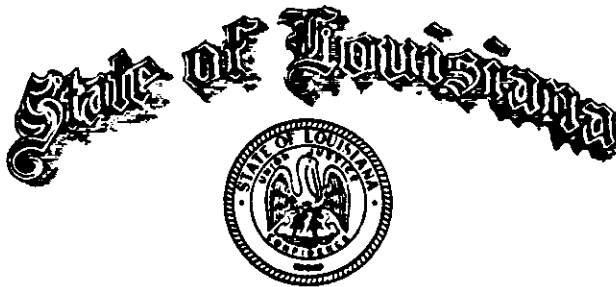
*1.) SECRETARIAL AUTHORITY FOR FALL INSHORE
SHRIMP SEASON OPENING*

RECEIVED
LA. DEPARTMENT OF
WILDLIFE & FISHERIES

JUN - 7 1991

ASSISTANT SECRETARY
OFFICE OF FISHERIES

A. Kell McInnis, III
Acting Secretary



DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

June 6, 1991

Bennie F.
Karen F.
John R.

Return to me by June 20th!

660- JC
ask Barry + E. H. H. H.
Kearney

BUDDY ROEMER
GOVERNOR

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6-18-91

AKM/sb

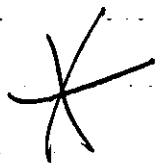
C: Don Puckett
Bob Dennie
Winton Vidrine

Jerry -

I plan to attend the Commission meeting. At this point I am not requesting that any other division personnel attend. However, if the oil companies bring up the seismic fees I will have Barney Barrett and Heather Finley attend.

I will be prepared to give a brief presentation on the proposed commercial fisheries sales card - I suggest that this be part of the Secretary's report. Kaur

- Comm. meeting agenda, July 9th Game Division
H. Bateman
- A - Ratification, ¹⁹⁹¹⁻⁹² Resident Game Hunting Seasons
- B - Initial Selection of ¹⁹⁹¹⁻⁹² Hunting Season Dates for.
Doves, Snipe, Woodcock, Rails and Gallinules. D. Morrison
- C - Resolution for Approval of Land Acquisition B. Howe





A. Kell McInnis, III
Acting Secretary

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BUDDY ROEMER
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C: Don Puckett
Bob Dennie
Winton Vidrine

Kell/Jerry

*From Houston Forest
6-17-91*

S.B.

*When do you want this
on agenda*

- 1/PUT SIGNS FOR OFFSHORE SHRIMP LINE
AT CAILLOU BOCA.
- 2/MOVE THE OFFSHORE SHRIMP LINE AT
WINE ISLAND PASS.



Return
TO Mrs Bateman

A. Kell McInnis, III
Acting Secretary

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AKM/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

17M - 70 - Be added.

*Discussion of Sp. Trout Quota - limits - 61208
W. J. P.*



RECEIVED
JUN 10
INFORMATION &
EDUCATION DIV.

A. Kell McInnis, III
Acting Secretary

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AKM/sb

C: Don Puckett
✓ Bob Dennie
Winton Vidrine

D&F has no items for this meeting
Bob Dennie 6-18-91



A. Kell McInnis, III
Acting Secretary

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Thank you for your cooperation!

For + Retuse
Tommy Puckett

AKM/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

Alligator Season Dates ~~*February 1 - March 1*~~ *(not?)* *(less the 2)*
Nutria Control Cost Share Program *12 days*
O.K.

June 17, 1991

Tommy:

The item on the Commission agenda on the alligator season needs to be clarified. Is this a notice of intent or an emergency declaration. I checked with Don on this and he has advised that if this season does not last any longer than 120 days you can do an emergency declaration. If it last longer, you need to go through the whole APA procedure. Let me know. Thanks.

Sharyn

Sharyn,

*The wild season will be set by Dec. of Emergency.
The season only last 30 days.*

P

RECEIVED

F
LS

JUN 17 91

F
E



A. Kell McInnis, III
Acting Secretary

DEPARTMENT OF WILDLIFE AND FISHERIES
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BUDDY ROEMER
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AKM/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

Information Rule
1 - Scenic Streams review - final ratification
of Rules/Regs regarding the program - Blue Water
2 - Natural Area Registry - Kisatchie National
Forest recognition - J.W. Turner

(Danny Bittl-USFS)

Johnnie
6/10/91



A. Kell McInnis, III
Acting Secretary

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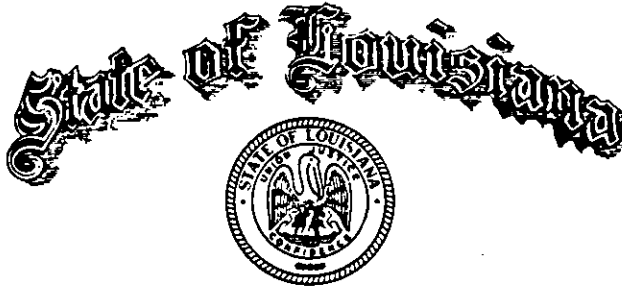
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AKM/sb

C: Don Puckett
Bob Dennie
LWinton Vidrine

*Case Report -
W.V.*



A. Kell McInnis, III
Acting Secretary

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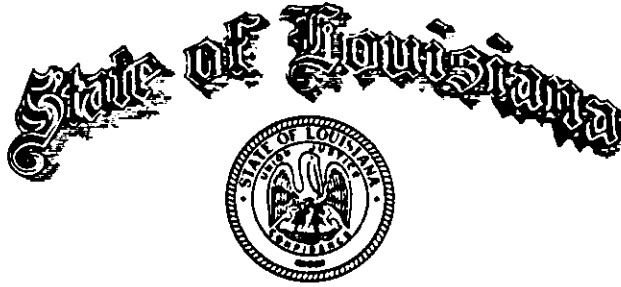
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Bob Dennie
Winton Vidrine



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AKM/sb

C: ~~Don~~ Puckett
Bob Dennie
Winton Vidrine

June 24, 1991

M E M O R A N D U M

TO: Chairman and Members of Commission
FROM: A. Kell McInnis III, Acting Secretary
RE: July Board Meeting Agenda

The next regular public board meeting as set by the Commission will be at 10:00 A.M. on Tuesday, July 9, 1991, at the Wildlife and Fisheries Building, Louisiana Room, 2000 Quail Drive, Baton Rouge, Louisiana.

The following will be on the agenda:

1. Approval of Minutes of June 6, 1991

HOUSTON FORET

2. Put Signs for Offshore Shrimp Line at Caillou Boca
3. Move the Offshore Shrimp Line at Wine Island Pass

WARREN I. POL

4. Discussion of Spotted Trout Quota-Limits-Sizes

ROBERT CHABRECK

5. Ratification of the 1991-92 Resident Game Hunting Seasons
6. Initiate Selection of 1991-92 Hunting Season Dates for Dove, Snipe, Woodcock, Rails and Gallinules
7. Resolution for Approval of Land Acquisition
8. Alligator Season Dates - Emergency Declaration

June 24, 1991
Page 2

9. Nutria Control Cost Share Program
10. Scenic Streams Rule Review - For Informational Purposes
11. Natural Area Registry-Kisatchie National Forest Recognition
12. Notice of Intent on Rule Change-Game Breeders/Wolves and Wolf Hybrid

JERRY CLARK

13. Secretarial Authority for Fall Inshore Shrimp Season Opening
14. Proposed Commercial Fisheries Sales Card

WINTON VIDRINE

15. Monthly Law Enforcement Report

A. KELL MCINNIS

16. Acting Secretary's Report to the Commission
17. Set October Meeting Date

PUBLIC COMMENTS

C: Bettsie Baker
Robert Chabreck
Jerry Clark
Don Puckett
John Medica
Division Chiefs

Tentative 6-21-91

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WILDLIFE & FISHERIES
OFFICE OF THE SECRETARY

June 24, 1991

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Division Chiefs

State of Louisiana



A. Kell McInnis III
Acting Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898

Buddy Roemer
Governor



FAX TRANSMISSION
OFFICE OF FISHERIES
FAX NUMBER:
(504) 765-2607

TO: Jimmy Jenkins
FROM: Sharyn Bateman 765-2806
DATE: July 3, 1991
TIME SENT: 9:25
NUMBER OF PAGES TO FOLLOW: 1
MESSAGE: Agenda - Comm. Meeting #16,
17 and 18 added. 16 & 17 by Puckett
& 18 by Bettie

OFFICE PHONE: (504) 765-2801

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Louisiana Department of Wildlife and Fisheries

NEWS RELEASE

A. Kell McInnis III
Acting Secretary



CONTACT
(504) 765-2923

91-82

7/1/91

AGENDA FOR COMMISSION MEETING

The next public board meeting of the Louisiana Wildlife and Fisheries Commission will be held at 10 a.m. Tuesday, July 9, in the Louisiana Room of the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge.

The following will be on the agenda:

1. Roll call.
2. Approval of minutes for June 6.
3. Signs for offshore shrimp line at Caillou Boca.
4. Move offshore shrimp line at Wine Island Pass.
5. Spotted seatrout quota-limits-sizes discussion.
6. Ratification of the 1991-92 resident game hunting seasons.
7. Initiate selection of 1991-92 hunting dates for dove, snipe, woodcock, rails and gallinules.
8. Resolution for approval of land acquisition.
9. Emergency declaration for wild alligator harvest dates.
10. Nutria control cost share program.
11. Scenic Streams rule review for informational purposes.
12. Natural Area Registry - Kisatchie National Forest recognition.
13. Notice of Intent on rule change - game breeder's license/wolves and wolf hybrid.

more

first and last add agenda

14. Secretarial authority for fall inshore shrimp season opening.
15. Proposed commercial fisheries sales card.
16. Right of way deed to DOTD - Alexandria office.
17. Pearl River WMA land exchange.
18. Presentation to Commission on oil spill restoration activities/trusteeship.
19. Monthly law enforcement report for June.
20. Acting Secretary's report to the Commission.
21. Set October meeting date.
22. Public comments.

COMMERCIAL FISHERMAN'S SALES CARD AND RECEIPT PROGRAM
Status Report to the Louisiana Wildlife and Fisheries Commission
July 9, 1991
Karen Foote, Administrator, Fisheries Research Division

Pursuant to RS 56:303.7, the Commission is to institute a commercial fishermen's sales card and receipt system by January 1, 1992. The Department will propose a system to the Commission for promulgation through the Administrative Procedures Act. Institution of a successful sales card system will only be possible if funds are available. Current estimates are that it would cost \$500,000 per year.

The commercial fishermen's sales card would be used in lieu of the commercial fisherman's license. It would be similar to a credit card and will have at least the fisherman's name and commercial license number on it. The Commission may require other applicable information on the card such as gear licenses and the fisherman's picture. The card would be used to imprint a multi-part receipt form to record every sale from a commercial fisherman to a wholesale-retail dealer. Other information included on the receipt would be species sold, weight, gear used, area fished and effort. The form would have a place for the fisherman to voluntarily report unit price and dollar value.

One part of the receipt would be retained by the fisherman, one part retained by the wholesale-retail dealer and the third part would be forwarded to the Department within ten working days of the end of the month. The Department would computerize sales receipt information. This system would collect all information on Louisiana landings for state and federal fisheries management purposes.

The Department is modelling the program after Florida's marine fisheries trip ticket system. Implementation will include extensive coordination between the Office of Fisheries, the Enforcement Division, Licensing Section and the Computer Center.

§309. Calcasieu Lake

A. At its meeting on March 25, 1975, the Wildlife and Fisheries Commission adopted the following rules and regulations for Calcasieu Lake, in Cameron and Calcasieu Parishes:

1. No net fishing will be allowed within 500 feet of the following areas: the mouths of Grand and Lambert Bayous, the new "washout" south of Lambert Bayou, the old Revetement or old jetties at the south end of Calcasieu Lake, "Nine Mile Cut" and all cuts below Nine Mile along the channel spoil at East Pass in Turner's Bay.

2. Retain the 1,000 foot maximum allowable webbing permitted for each person operating in Calcasieu Lake. Retain the conditions under this resolution whereby nets measuring 1,000 feet must be fished individually and no two or more fishermen can join these nets together in excess of 1,000 feet.

3. Require all strike net fishermen using trout nets to remain with their nets at all times when set out.

4. All staked gill and trammel net webbing fished in Calcasieu Lake, whether set with the intent of catching trout, redfish, gar, or any species of fish, shall be run daily as prescribed by law at present. When untended for more than 24 hours and dead, floating fish are found in a net, the net shall be considered in violation of this regulation and confiscated by agents of the Louisiana Wildlife and Fisheries Commission.

5. All webbing regardless of length shall be tagged as prescribed by law. Any net found untagged will be in violation and confiscated by agents of the Louisiana Wildlife and Fisheries Commission.

6. Exempt Calcasieu Lake from Act 215, H.B. 231, concerning legal mesh sizes, allowing salt water mesh requirements as prescribed by law to apply to Calcasieu Lake. These mesh sizes are: seines, not less than 7/8 inch square or 1 3/4 inches stretched; trammel nets, not less than 1 inch square or 2 inches stretched; gill nets, not less than 1 1/2 inches square or 3 inches stretched. Each seine, trammel net, and gill net in use in Calcasieu Lake shall not exceed 1,000 feet in length.

B. 1. Whereas, Act 510 of the 1974 Louisiana Legislative Session, authorized the Louisiana Wildlife and Fisheries Commission to set seasons, regulate the type of gear used and set possession limits for speckled trout and other estuarine fish in Calcasieu Lake, located in Calcasieu and Cameron Parishes, and

Whereas, it has been clearly demonstrated that intense fish competition exists between both commercial and sportfishermen.

2. Now, therefore, be it resolved that the Louisiana Wildlife Fisheries Commission does hereby amend previous regulations for commercial fishing in Calcasieu Lake to provide that netting shall be permitted only during nighttime hours from June 1 through Labor Day.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:326.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 1:185 (April 1975), amended LR (June 1975).

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

RESOLUTION

July 9, 1991

WHEREAS the Commission supports an exchange of property between the Department and one Osey Singletary concerning two (2) parcels of land, each consisting of twenty-six (26) acres more or less, situated in St. Tammany Parish which parcels are more fully described in the attached Act of Exchange which is made a part hereof.

THEREFORE, BE IT RESOLVED that this Commission does therefor authorize its Chairman to execute on behalf of this Commission the attached Act of Exchange or a version of same modified in accordance with formalities and legal requirements deemed necessary by Counsel.

James H. Jenkins, Chairman

A. Kell McInnis, III
Acting Secretary

Date

ACT OF EXCHANGE

BETWEEN:

LOUISIANA WILDLIFE AND
FISHERIES COMMISSION

STATE OF LOUISIANA

AND

PARISH OF EAST BATON ROUGE

OSEY E. SINGLETARY

BE IT KNOWN THAT BEFORE US, the undersigned Notaries Public, duly commissioned and qualified, in and for the Parish of East Baton Rouge, State of Louisiana, therein residing, and in the presence of the witnesses hereinafter named and undersigned:

PERSONALLY CAME AND APPEARED:

LOUISIANA WILDLIFE AND FISHERIES COMMISSION, a constitutionally established agency of the State of Louisiana, herein represented by James H. Jenkins, Jr., Chairman of the Commission, and A. Kell McInnis III, Acting Secretary of the Department of Wildlife and Fisheries, duly authorized by Resolution adopted at a regular meeting of the commission, a copy of which is attached hereto;

and

OSEY E. SINGLETARY, married twice, first to Carolyn Puckett from whom he was divorced in 1950 in Sabastian County, Arkansas; secondly to Daphne Flinders with whom he lives and resides, a resident of the legal age of majority of St. Tammany Parish, Louisiana whose permanent mailing address is Route 4, Box 420, Slidell, Louisiana 70461;

who declared that they did, and do by these presents, make an exchange of property on the express terms and conditions hereinafter set forth, as follows, to-wit:

For and in consideration of the transfer to it as hereinafter set forth, the said LOUISIANA WILDLIFE AND FISHERIES COMMISSION does hereby grant, bargain, assign, set over, transfer and deliver with all legal warranties and with full substitution and subrogation in and to all the rights and actions of warranty which it has or may have against all

preceding owners and vendors, unto OSEY E. SINGLETARY, the following described property, situated in the Parish of St. Tammany, Louisiana, to-wit:

A certain parcel of land situated in St. Tammany Parish, Louisiana, containing 26.2 acres, more or less, and being more particularly described as the northeast quarter of the southwest quarter located west of Interstate Highway 59 north of old Louisiana Highway 11 and the exit ramp of Interstate Highway 59, all in Section 31, Township 7 South, Range 15 East, St. Tammany Parish, Louisiana subject to the existing mineral reservation in favor of the department's predecessor in Title.

AND NOW, for and in consideration of the transfer to him as aforesaid, OSEY E. SINGLETARY, does by these presents grant, bargain, assign, transfer, set over and deliver with all legal warranties and with full substitution and subrogation in and to all the rights and actions of warranty which he has or may have against all preceding owners and vendors, unto LOUISIANA WILDLIFE AND FISHERIES COMMISSION, the following described property, to-wit:

A certain parcel of land situated in St. Tammany Parish, Louisiana, containing 26.6 acres, more or less, and being more particularly described as the east half of the northeast quarter of the northwest quarter and the north half of the northeast quarter of the southeast quarter of the northwest quarter of Section 31, Township 7 South, Range 15 East, St. Tammany Parish, Louisiana.

This exchange is made and mutually accepted by the parties hereto, it being agreed and understood that the properties exchanged are equal in value.

This exchange is consummated in accordance with Act 399 of 1986 signed and approved on July 2, 1986.

TO HAVE AND TO HOLD the said respective properties, the one to the other, their heirs and assigns, free from any lien, mortgage or encumbrance whatever.

THUS DONE AND PASSED at Baton Rouge, Louisiana by the LOUISIANA WILDLIFE AND FISHERIES COMMISSION, represented herein

as aforesaid, in the presence of the undersigned Notary Public
and competent witnesses on the _____ day of
_____, 1991 after due reading of the whole.

WITNESSES:

LOUISIANA WILDLIFE AND
FISHERIES COMMISSION

BY: _____

James H. Jenkins, Jr.
Chairman, Wildlife and
Fisheries Commission

BY: _____

A. Kell McInnis, III
Acting Secretary,
Department of Wildlife and
Fisheries

NOTARY PUBLIC

NAME: _____

(Print or Type)

MY COMMISSION EXPIRES: _____

THUS DONE AND PASSED at Baton Rouge, Louisiana by OSEY E.
SINGLETARY in the presence of the undersigned Notary Public and
competent witnesses on the _____ day of _____, 1991
after due reading of the whole.

WITNESSES:

OSEY E. SINGLETARY

NOTARY PUBLIC

NAME: _____

(Type or Print)

MY COMMISSION EXPIRES: _____

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

RESOLUTION

July 9, 1991

WHEREAS the Department of Transportation and Development is in need of a small portion of property owned by the Commission upon which the Alexandria (Region III) Regional/District Office is located for purposes of a road right-of-way, which parcel is more fully described on the attached Act of Sale which is made a part hereof.

THEREFORE, BE IT RESOLVED that this Commission does hereby authorize its Chairman to execute the attached Act of Sale or a version of same modified in accordance with such formalities and legal requirements as may be recommended by Counsel.

James H. Jenkins, Chairman

A. Kell McInnis, III
Acting Secretary

Date

STATE PROJECT NOS. 9-01-59 & 15-30-11
PINEVILLE - KINGSVILLE HIGHWAY
(L & A RAILROAD OVERPASS - US 165)
(US 71 - PINEVILLE EXPRESSWAY)
US 165, 167 AND 71
RAPIDES PARISH

PARCEL NO. 3-7

S A L E

STATE OF LOUISIANA:

PARISH OF RAPIDES:

For the price and on the terms and conditions hereinafter set forth, LOUISIANA WILDLIFE AND FISHERIES COMMISSION, (Federal Identification No. _____), herein represented by _____, its _____, being hereinafter sometimes referred to as the "Vendor"; have bargained and sold and do hereby grant, bargain, sell, transfer, assign, set over, convey, and deliver under all lawful warranties and with substitution and subrogation to all of my rights and actions of warranty, unto the Department of Transportation and Development of the State of Louisiana, herein represented by JAMES M. DOUSAY of said Department of Transportation and Development, authorized herein by Policy and Procedure Memorandum Number 31, dated August 24, 1977, as amended, issued by the Secretary of the Louisiana Department of Transportation and Development, who accepts this sale on behalf of the Department of Transportation and Development, the following described property, situated in the Parish of Rapides, Louisiana, to-wit:

D E S C R I P T I O N

One (1) certain tract or parcel of land, together with all the improvements situated thereon, and all of the rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in Section 1, Township 4 North, Range 1 West, Land District North of Red River, Rapides Parish, Louisiana, identified as PARCEL NO. 3-7 as shown on Sheet No. 3 on the property map for STATE PROJECT NOS. 9-01-59 & 15-30-11, PINEVILLE - KINGSVILLE HIGHWAY, (L & A RAILROAD OVERPASS - US 165), (US 71 - PINEVILLE EXPRESSWAY), US 165, 167 & 71, RAPIDES PARISH, LOUISIANA, prepared by Jerry G. Lazenby, Registered Land Surveyor, dated August 5, 1988, March 14, 1990 and July 17, 1990, January 16, 1991, March 18, 1991, April 5, 1991 and May 13, 1991, said map being attached hereto and made a part hereof, which property is more particularly described as follows:

PARCEL NO. 3-7:

Begin at the intersection of the Vendor's easterly property line and the westerly existing right of way line of US 71 with the northerly property line of Johnny F. Jones, which point is 71.83 feet left at centerline of State Project No. 15-30-11 - 9-01-59, at Highway Survey Station 125+90.16; thence proceed North 89°55'11" East, a distance of 15.41 feet to a point and corner, said point being 87.24 feet left of Project 15-30-11 - 9-01-59 centerline at Highway Survey Station 125+90.16; thence proceed North 27°39'53" East, for a distance of 57.61 feet to a point and corner, said point being 70.00 feet left of Project 15-30-11 - 9-01-59 centerline at Highway Survey Station 126+27.31; thence proceed along the arc of a curve along said existing right of way line having a radius of 3083.89 feet (the chord of which bears South 12°32'30" West, 52.25 feet) a distance of 52.25 feet to the point of beginning and containing an area of .009 of an acre.

Being the same property acquired by Louisiana Wildlife and Fisheries Commission from the Board of Institutions of the State of Louisiana and/or Central Louisiana State Hospital on May 18, 1956 and recorded in Conveyance Book 497, Page 139 of the records of the Parish of Rapides, Louisiana.

This sale and conveyance is made for and in consideration of the price and sum of SIX HUNDRED SEVENTY-FOUR AND NO/100 (\$674.00) DOLLARS, which price Department hereby binds and obligates itself to pay to Vendor upon the approval by Department of Vendor's title to the hereinabove described property.

Vendor acknowledges and agrees that the consideration provided herein constitutes full and final payment for the property hereby conveyed and for any and all diminution in the value of the Vendor's remaining property as a result of the transfer of this property for highway purposes.

All ad valorem taxes assessed against the above described property for the four (4) years immediately preceding the current year have been paid. Taxes for the current year will be pro-rated in accordance with the provisions of Act No. 123 of the Legislature of the State of Louisiana for the year 1954.

It is understood and agreed that Vendor reserves unto himself, his heirs and assigns, all oil and gas minerals beneath the area hereinabove described, it is specifically understood, however, that while no exploration, drilling, nor mining of oil or gas minerals of any kind shall be conducted upon said area, there may be directional drilling from adjacent lands to extract the oil or gas minerals from under said area.

IN TESTIMONY WHEREOF, the parties hereto have signed and executed and acknowledged this instrument as their free and voluntary acts, in triplicate originals in the presence of the undersigned competent witnesses, as of the _____ day of _____, 19__.

W I T N E S S E S :

LOUISIANA WILDLIFE & FISHERIES
COMMISSION

BY: JAMES H. JENKINS
ITS: CHAIRMAN

DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT OF THE STATE
OF LOUISIANA

BY: _____
REAL ESTATE ADMINISTRATOR

AFFIDAVIT

STATE OF LOUISIANA:

PARISH OF EAST BATON ROUGE:

BEFORE ME, the undersigned authority this day personally appeared _____, to me personally known to be the identical person whose name is subscribed to the foregoing instrument as an attesting witness, who being first duly sworn on his/her oath, says: That he/she subscribed his/her name to the foregoing instrument as a witness, and that he/she knows JAMES H. JENKINS, CHAIRMAN, LOUISIANA WILDLIFE & FISHERIES COMMISSION, who executed the same and saw him sign the same as his voluntary act and deed, and that he/she, the said _____, subscribed his/her name to the same at the same time as an attesting witness.

AFFIANT-

SWORN TO and subscribed before me, this _____ day of

_____, 19__.

NOTARY PUBLIC



Louisiana Wildlife Federation, Inc.

P.O. BOX 16089 LSU
BATON ROUGE, LOUISIANA 70893
504/344-6707

July 8, 1991

TO: Members, Louisiana Wildlife and Fisheries Commission

FROM: Randy Lanctot, LWF Executive Director *RL*

SUBJECT: Legislature; WMA Management

As I am sure you are, many of us at the Louisiana Wildlife Federation are frustrated by the lack of cooperation and support demonstrated by some of our state legislators for the Wildlife and Fisheries Commission and Department, your authority and programs. In a few instances the animosity and acrimony displayed has been shocking and, worst of all irrational.

I have been observing and interacting with our legislature now for 12 years concerning fish, wildlife, conservation and environmental legislation, and though this year has been particularly rough in regard to legislators' attitudes toward the Commission and Department, it is consistent with the trend of the past few years. I offer whatever assistance I and the Louisiana Wildlife Federation can to address this problem which is destructive and intolerable, not to mention a waste of valuable time, energy and resources.

Though largely perception rather than reality, some members of the Legislature feel that the Commission and Department are not acting with adequate sensitivity to the concerns of their constituents. Much of this can be addressed through better communication between the Commission/Department and those affected by your policies, programs and rules.

Legislators are antagonized by criticism that politics (read: they) should be kept out of resource management decisions when they feel that the LWFC/LDWF is practicing its own brand of politics, i.e., decisions influenced by other than basic, biologically and economically justified resource management needs. True or not, the perception exists, and somehow, a better job needs to be done by us all to prevent perceptions that give credence to individual legislators who have no respect for the Commission's proper role, and provoke other legislators into feeling they have to short-circuit Commission/Department actions in the interest of their constituents.

Another thing that provokes legislators when it occurs is failure to respond to concurrent resolutions urging and requesting LWFC/LDWF to take some action. Two examples are attached. And though LWFC/LDWF may not always be able to respond to urge and request resolutions the way the Legislature would like, some response should be forthcoming, even if it's merely an explanation of why a request can't be accommodated. Failure to respond provokes resolutions suspending LWFC/LDWF authority and directing action, eg., HCR 104, HCR 79 and SCR 47 of this recent legislative

session, and makes it difficult to successfully argue against the principle of using such a method of getting the Commission's/Department's attention.

That leads me to the primary purpose of this correspondence. We are gravely concerned with what appears to be intimidation of the Commission by special interest groups using political influence and threat of lawsuit to get their way. Specifically, I refer to the recent controversy over deer harvest regulations on Boeuf, Big Lake, Saline and Sicily Island Hills Wildlife Management Areas and the proposed compliance, at least in part, with the Wildlife Management Association's demands to eliminate the doe harvest on these areas. Though it could be argued that the doe harvest on some of these areas has been excessive relative to a management scenario designed to keep the deer herd at carrying capacity, any claim that the viability of the deer population on these areas has been damaged by past doe harvests is unfounded. We appreciate and support the LDWF's general WMA deer management policy of fairly and safely maximizing hunting opportunities on WMAs for all citizens of the state, within the ability of the deer herd to support and sustain such a harvest level year after year. We are also aware that deer abundance is closely related to deer habitat quality, and that as a woodland ages, deer habitat quality is likely to decline unless plant succession is set back through timber cutting, fire, high winds or other natural or man-induced habitat manipulation. Deer habitat quality has declined on some of our WMAs and is reflected by a reduction in the number of deer harvested. Though some of the hunting public may believe that this decline is the result of overharvest in previous years, this is simply not true in most cases. Apparently the message concerning the status of deer habitat on WMAs and how that relates to current deer populations and expected harvest on these areas has not been adequately conveyed. Nor has the Department's harvest management strategy.

This points to the need for developing comprehensive management plans for WMAs. In addition to the enclosed SCR 73 of 1990 there are two other resolutions adopted by the Louisiana Wildlife Federation (1985 and 1990) urging the development of management plans for state-owned WMAs. Though the Department may have some rudimentary (or perhaps more elaborate) plans for WMAs to meet federal aid requirements, to my knowledge the users of the WMAs are not aware of the plans and have not been invited to review them or comment on them. I suggest that a procedure be implemented for the development of comprehensive management plans for state-owned WMAs with public review and comment encouraged. This will enhance the credibility of the Department and provide users with more of a stake in managing their lands. It should also have the effect of building public support for management programs and might help avoid controversies with harvest management strategy like we are currently embroiled in.

Another tool of management that should be seriously considered is a system of self-check stations on WMAs where users would stop by and fill out a card with their name, address, hunting license number and the number and species of animals they harvested that day. After hunters get familiar with using such a system, it will yield valuable information on use and harvest that can be used to revise and fine-tune management plans. With adequate promotion and cooperation we think that Louisiana hunters will cooperate. Self-check stations would also reduce personnel required for managed (either sex) hunts who normally staff the check-in stations. Staffing would only be needed for the weigh station, which could as easily be staffed by a couple of knowledgeable volunteers.

We recognize that the LDWF is strapped for funds and personnel and can't implement elaborate management plans over the short term for every WMA, but a plan development effort that involves the public should be commenced. It certainly would make it a

lot easier to successfully support the Department and Commission before the Legislature and the public when the management of WMAs is in question, and further, to garner support for additional financial resources that are needed even now to meet the department's growing research, management and enforcement responsibilities, as well as to fund additional habitat acquisition.

The Louisiana Wildlife Federation respectfully urges you to not bow to shrill special interest groups that threaten with lawsuits but to make scientifically-based biologically-sound fish and wildlife management decisions. You can count on our support when you do.



Louisiana Wildlife Federation, Inc.

P.O. BOX 16089 LSU
BATON ROUGE, LOUISIANA 70893
504/344-6707

RESOLUTION NO. 27D

SUBJECT: PUBLIC REVIEW OF MANAGEMENT PLANS FOR STATE AND FEDERAL WILDLIFE
REFUGES AND MANAGEMENT AREAS

WHEREAS, thousands of acres of wildlife habitat are owned and managed in the public trust by the Louisiana Department of Wildlife and Fisheries and U.S. Fish and Wildlife Service through the national wildlife refuge system and the state refuge and wildlife management area system, and

WHEREAS, each of these wildlife areas have, or should have, a dynamic management plan designed to achieve the stated objective(s) or mission of each particular WMA or refuge, and

WHEREAS, these management plans can include such things as moist soil and wet-land management using water control structures, levees and berms; timber management using various silvicultural strategies and methods; preservation of unique habitats; habitat enhancement through manipulation and planting; development of camping areas, nature trails and observation posts for public use; regulation of hunting, fishing and other uses, etc., and

WHEREAS, since refuges and WMAs are supposed to be managed to meet the needs of our wildlife resources and the public, it would be helpful to both the users and managers of refuges and WMAs for the public to understand, provide comment on, and support the various refuge and WMA management plans, yet there is no convenient vehicle now in place to facilitate such an information exchange.

THEREFORE BE IT RESOLVED that the Louisiana Wildlife Federation urges the Louisiana Department of Wildlife and Fisheries and U.S. Fish and Wildlife Service to develop a management plan for every wildlife refuge and WMA in the state that doesn't have one and to review those plans already in place.

BE IT FURTHER RESOLVED that LWF supports implementation of a procedure whereby the public is notified of draft refuge and WMA management plans, and review of existing plans, so that there is an adequate opportunity for public comment prior to implementation of the plans.

Adopted by the Louisiana Wildlife Federation in convention assembled,
4 March 1990 in Gonzales, LA.



Louisiana Wildlife Federation, Inc.

P.O. BOX 16089 LSU
BATON ROUGE, LOUISIANA 70893
504/344-6707

RESOLUTION NO. 12

SUBJECT: MANAGEMENT PLANS FOR STATE-OWNED WILDLIFE MANAGEMENT AREAS

WHEREAS, each wildlife management area owned by the Louisiana Department of Wildlife and Fisheries should have a management plan, both long and short term, in order to enhance the value of these important areas for both citizens and wildlife, and

WHEREAS, management plans have been drawn up for many of the WMAs but very few WMA users are aware of their existence, and

WHEREAS, it would be advantageous for citizens to know what kind of management is taking place on WMAs so they can appreciate the amount of effort the Louisiana Department of Wildlife and Fisheries is making on their behalf, as well as have an opportunity to comment on the various plans,

THEREFORE BE IT RESOLVED that the Louisiana Wildlife Federation urges the Louisiana Department of Wildlife and Fisheries to develop management plans for all of its wildlife management areas.

BE IT FURTHER RESOLVED that these plans be publicized and made available to the public for review so that interested citizens may comment.

Adopted by the Louisiana Wildlife Federation at convention assembled,
24 February 1985 in Baton Rouge.

SENATE CONCURRENT RESOLUTION NO. 73

BY MR. MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries and the United States Fish and Wildlife Service to develop a five-year management plan for each individual wildlife management area and wildlife refuge in the state.

WHEREAS, thousands of acres of wildlife habitat are owned and managed in the public trust by the Department of Wildlife and Fisheries and the United States Fish and Wildlife Service through the national wildlife refuge system and the state refuge and wildlife management area system; and

WHEREAS, there is a need for each of these wildlife areas to have a dynamic management plan designed to achieve the objectives of each individual wildlife management area or refuge; and

WHEREAS, these management plans should include, but are not limited to moist soil and wetland management using water control structures, levees, and berms; timber management using various silvicultural strategies and methods; preservation of unique habitats; habitat enhancement through manipulation and planting; development of camping areas; nature trails and observation posts for public use; and regulation of hunting, fishing and other uses; and

WHEREAS, the management plans for each wildlife management area and refuge should be designed to meet the needs of our wildlife resources and the public.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby urges and requests the Department of Wildlife and Fisheries and the United States Fish and Wildlife Service to develop five-year management plans for each wildlife management area and refuge in the state.

BE IT FURTHER RESOLVED that public hearings be held annually in order for the public to understand, provide comment on, and support the various management plans.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Department of Wildlife and Fisheries and to the United States Fish and Wildlife Service.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

SENATE CONCURRENT RESOLUTION NO. 76

BY MR. MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Wildlife and Fisheries to inform the Legislature, the Wildlife and Fisheries Commission, the affected Department of Wildlife and Fisheries personnel, and the public of plans for substantive reorganization of the agency's functional organizational structure, and the rationale for such plans, prior to their implementation.

WHEREAS, in 1886 the Legislature of Louisiana established the Oyster Commission to manage Louisiana's valuable oyster resources; and

WHEREAS, in 1910 the Legislature of Louisiana established the Conservation Commission which was a consolidation of several boards and commissions and was charged with managing Louisiana's fish and wildlife resources; and

WHEREAS, in 1944 the legislature created the Wildlife and Fisheries Commission; and

WHEREAS, in 1974 the Constitution of Louisiana provided for limits to the executive branch of government and specifically provided for the Department of Wildlife and Fisheries with the secretary being appointed by the governor; and

WHEREAS, it is recognized that Louisiana has a tremendous renewable resource base and yearly ranks either first or second in the nation in waterfowl, fur, alligators, total fisheries production, shrimp, oysters, blue crabs, menhaden, has 41% of the nations wetlands, ranks sixth in the nation in area of inland waters, and second in length of shoreline; and

WHEREAS, Act No. 784 of the 1988 Regular Session of the Louisiana Legislature reorganized two of the three offices within the Department of Wildlife and Fisheries consolidating the wildlife functions into the office of wildlife and the fishery functions into the office of fisheries; and

WHEREAS, the inland fish division has been conducting freshwater fisheries research and operating fish hatcheries in Louisiana for over thirty years and this has provided management information relative to freshwater fish and fish to stock the public waters of the state which has greatly benefitted the citizens of

Louisiana; and

WHEREAS, the marine fisheries division has been operating a biological research station on the coast for over thirty years and the research conducted by this division has been of great benefit in managing the abundant marine fisheries resources of the state; and

WHEREAS, the department secretary has taken action to reorganize the divisions within the office of fisheries that will change the functions and responsibilities of the divisions within that office; and

WHEREAS, the citizens of Louisiana that depend upon or otherwise benefit from the work of the department for their recreational enjoyment and economic well being are accustomed to the current organizational structure of the department; and

WHEREAS, reorganization creates uncertainty and provokes concern among agency personnel impacted by the action; and

WHEREAS, the department's executive staff has not done an adequate job of communicating, both within and outside the agency, the nature of the reorganization within the office of fisheries and the benefits expected therefrom.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby urges and requests the secretary of the Department of Wildlife and Fisheries to inform the Legislature, the Wildlife and Fisheries Commission, the affected department personnel, and the public of any plans for substantive reorganization of the agency's functional organizational structure, and the rationale for such plans, prior to implementation.

BE IT FURTHER RESOLVED that this Resolution be transmitted to the Honorable Charles E. "Buddy" Roemer, Governor of the State of Louisiana, to the commissioner of administration, and the secretary of the Department of Wildlife and Fisheries for compliance during the 1990 Regular Session, with copies forwarded to members of the Louisiana Wildlife and Fisheries Commission.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

MARINE FISHERIES TRIP TICKET

2884424

CONT

SALTWATER
PRODUCTS
LICENSE

DEALER

DATE

Mo. Day Yr.

ACTUAL TIME FISHED (hrs/Days)

AREA FISHED

COUNTY LANDED

DEPTH (F/10 fms)

GEAR FISHED Purse

Haul

Longline

H&L

Traps

Trawl

Gill

Trammel

Other

OF SETS

TRAPS PULLED

SOAK TIME (Days)

SHADED ITEMS ARE MANDATORY

SPECIES
Code SizeAMOUNT OF
CATCHUNIT
PRICEDOLLAR
VALUEFDNR FORM #33-610
(Revised 3/90)

FISHERMAN'S COPY

Florida Department of Natural Resources
100 8th Ave., S.E., St. Petersburg, FL 33701

State of Louisiana



A. Kell McInnis III
Acting Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898

Buddy Roemer
Governor



FAX TRANSMISSION
OFFICE OF FISHERIES
FAX NUMBER:
(504) 765-2607

TO: Ciff Sinerd
FROM: LA Dept. Wildlife + Fisheries
DATE: July 17, 1991
TIME SENT: 3:50
NUMBER OF PAGES TO FOLLOW: 7
MESSAGE: Request to A. Kell McInnis for
Comm. Addresser & portion of minutes referring
to Rails + Gallinules

OFFICE PHONE: (504) 765-2801

An Equal Opportunity Employer

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12/10/96

A. Kell McInnis III
Acting Secretary
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Baton Rouge, LA 70898-9000

The following constitute minutes of the Commission Meeting
and are not a verbatim transcript of the proceedings.

Tapes of the meetings are kept at the
Louisiana Department of Wildlife and Fisheries

2000 Quail Drive

Baton Rouge, Louisiana 70808

For more information call (504) 765-2806

The Recommended Season Dates for the 1991-92 Dove, Snipe Woodcock, Rails and Gallinules were presented by Mr. Dave Morrison. Mr. Morrison advised that the Game Division has for Commission consideration the tentative dates for migratory birds, excluding waterfowl. Mr. Bateman just recently returned from Washington, D.C. where the Fish and Wildlife Service put forth the frameworks. The framework, bag limits and shooting hours are basically unchanged for snipe, rails and gallinules. This year in the regulatory process there was a major change in the framework with regard to woodcock. Typically September 1 through mid to late February has been the framework. This year the Fish and Wildlife Service has moved the end of the framework to January 31. This change was made over the objections of Louisiana, Tennessee, the Mississippi Flyway Council, and the Mississippi TEC Session. Last year the Fish and Wildlife Service had asked that the flyway councils get together and make recommendations on this particular issue. The issue that went before them and the recommendation made by the flyway council was February 9, however, the Fish and Wildlife Service chose not to accept that and made the end of the framework as January 31. Mr. Morrison stated that the reason he has pointed this out is because this change is going to be objectional to many Louisiana woodcock hunters because it is shortening their season while a lot of people believe is some of the prime time for woodcock hunting. The dates for woodcock being recommended is November 28 through January 31 with a bag limit of five. The framework for the dove is basically unchanged from last year and the staff recommends shooting hours to be the same as last year with the opening weekends being noon to sunset and all the other times being one-half hour before sunrise to sunset. In setting the dove season, the Fish and Wildlife give two options. One option would be a seventy day season, 12 bird limit, the other would be a sixty day season, fifteen bird option. It is the Commission's decision as to what option they would prefer to go with pointed out Mr. Morrison. The following are the recommendations presented by Mr. Morrison.

SEASON RECOMMENDATIONS (1991-92)

<u>SPECIES</u>	<u>DATES</u>	<u>DAYS</u>	<u>BAG LIMIT</u>
Rails	Nov. 16-Jan. 20	66	15
Gallinules	Nov. 16-Jan. 20	66	15
Snipe	Nov. 9-Feb. 23	107	8
Woodcock	Nov. 28-Jan. 31	65	5

Shooting hours for rails, gallinules, snipe and woodcock shall be 1/2 hour before sunrise to sunset.

Doves:

Option A: (staff recommendation)

Sept. 7-Sept. 15	9	12
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Oct. 19-Nov. 17	30	12
Dec. 7-Jan. 6	<u>31</u>	12
TOTAL	70	

Option B:	Sept. 7-Sept. 15	9	15
	Oct. 19-Nov. 10	23	15
	Dec. 7-Jan. 3	<u>28</u>	15
	TOTAL	60	

Shooting hours: 1/2 hour before sunrise to sunset EXCEPT on the opening weekend of each split (Sept. 7-8, Oct. 19-20, and Dec. 7-8) when shooting hours will be 12:00 noon to sunset.

Chairman Jenkins called for comments from the Commission. Mr. Pol stated that the only thing that worries him is that we are doing the same thing with the rails and gallinules. There is going to be a split season. Ducks season supposedly opens on the sixteenth of November and the season has to end by January 20th with hunting for only thirty days. This means that there will be splits and in the meantime everybody will be hunting ducks when they should be resting and coming in for the second split. There will be hunting straight through. Mr. Morrison advised, if he was not mistaken, a latitude to split the rail and gallinule season. However, because the state is divided into an east and west zone, regardless of how you split that zone you do not have that luxury with the rails and gallinules. There is no zone for rails and gallinules. The season can be split but only so that you would open it with the second split of either the east or west zone. Mr. Pol stated that the reason why it was moved from the recommended date of the 8th to the 16th was because we did not want people in the marsh hunting (shooting guns, etc.) before the duck season opened. Mr. Pol stated that he was only bringing this out because he thinks they are defeating their purpose and if this is the recommendation of the committee he will go along with it but there will be a big mess again because you are going to have people in the marsh hunting gallinules and killing ducks. Mr. Jones commented that Mr. Pol's thought process is that the major impact of the waterfowl and migratory game bird hunting is duck and goose hunting, especially duck hunting and agrees in the thought process. Mr. Pol stated that it is the ducks that are in trouble, not the rails and gallinules. Mr. Morrison stated that the rail and gallinule season can be split, but because historically there is a east and west zone for the duck season, these seasons cannot be split the same way so there will be some time that these seasons will be opened that prior to the duck season neither east or west zone reopening. Mr. Jones asked if what Mr. Morrison was saying that you cannot zone the rail and gallinule seasons by statute. Mr. Morrison stated you cannot zone rails and gallinules, you can split the season but somewhere down the road the seasons will be opened preceding a duck season. Mr. Bateman pointed out that a state has the right to be more restrictive within the federal framework and

who may be interested in learning what the regulations are and trying to understand the regulations. One reason for bringing this to the Commission is that there is something in the publication that is quite precise and involves the planting of wheat. In the past many times hunters have hunted doves in September over wheat fields. A fairly bold approach was taken on this and was based primarily on research that had been conducted at LSU. The earliest date that the Cooperative Extension Service recommends planting wheat as a grain crop in Louisiana, regardless of what zone, is September 20th. This means that individuals who want to circumvent the federal regulations and prepare field and bait doves and then call them a wheat field may be, in some instances, be in violation of the federal regulations. There are many considerations that have to be put into normal agriculture practices. The current 1990 Farm Bill deals with some of this with reference to set aside land and it complicates the issue further but is not in this particular publication pointed out Dr. Fowler. This publication does try to explain what is involved in the baiting regulations and tells those individuals that are interested in trying to manage for migratory bird hunting on their farms that the people to go to consider whether or not an operation is a normal operation for planting or harvesting operation is their local County Agent. Concluding, Dr. Fowler advised that he would be glad to answer any questions.

Chairman Jenkins asked about the portion dealing with "the grain being scattered exclusively as a result of normal agricultural planting or harvesting; there can be no ulterior motive for scattering the grain" and wanted to know how you found out what the motive is. Dr. Fowler stated that this goes back to intent and is a judgment call that a person has to make themselves. Chairman Jenkins asked about people that plant crops, such as hunting clubs that will buy the crops and leave it in the field or even knock it down. Dr. Fowler stated it is perfectly legal. If the law simply stated that it was illegal to hunt over planted crops most of the exceptions to the rule could be eliminated pointed out Dr. Fowler. You could hunt over harvested crops, hunt over standing crops, and hunt over manipulated crops. You cannot hunt over manipulated crops for ducks and the law is not consistent between doves and ducks. In the case of doves you could plant a crop, grow it to maturity, manipulate that crop anyway you wanted and shoot doves over it but you cannot do that for ducks and this is the purpose of the publication commented Dr. Fowler. Mr. Jones stated that he finds it confusing at times and is still not sure that this publication irons it all out. This publication was out last year; this is not new information that Mr. Jones is receiving and he is still confused over the issue. Mr. Jones commented that it is o.k. to grow a crop and bait for doves as long as you bring a crop in, but it is not alright to bait for doves by planting wheat. Dr. Fowler stated that was correct. Mr. Jones stated that these contradict each other. Dr. Fowler advised that when you plant a crop for doves and grow it to maturity the federal regulations do not consider this baiting. Baiting is a deliberate distributing or scattering of grain, salt, or other material to attract doves; a wildlife planting is also an exception to the rule and is not

considered a normal agriculture practice so a wildlife food plot could not be planted in September with wheat to shoot doves over. Other exceptions to the rule is the cow/calf operations which is a normal agriculture practice to get pastures ready anytime you can and a lot of time winter pastures are seeded as early as August or August 15th. The federal agents are not going to come in and make a case against somebody who does something that is a normal agriculture practice. The purpose of this publication is to make this information that is being used as available to people as possibly can be. Acting Secretary McInnis asked Dr. Fowler if he was prepared to go and testify in court that September 20th, which is the earliest it is recommended, as to whether or not that is the first day that is permissible. Dr. Fowler advised that they are prepared to go and testify in court that this is their recommendation. Dr. Fowler stated that if they are subpoenaed and are asked they have to. This is for grain. Dr. Fowler advised that if a farmer does decide to plant crops before September 20th and plants a field and does it according to all the recommended practices the federal agent is not going to make a case against that person. Chairman Jenkins thanked Dr. Fowler for this information and asked Mr. Morrison to continue with the recommended seasons for migratory birds, except waterfowl.

Mr. Morrison explained that these are tentative season dates and that action does not have to be taken on all of them. Action can be taken on the doves, snipe and woodcock so that they can be put in the regular hunting pamphlet. Mr. Morrison advised that they are uncertain if you can zone a split, but will find this out from the Fish and Wildlife Service. At next month's meeting these seasons will be adopted as well as the waterfowl seasons by declaration of emergency and at that time options for zoning and splitting the rail and gallinule seasons will be presented. Mr. Pol stated that he was going to suggest that it run concurrently with the waterfowl season. Mr. Morrison advised that they will look into the splits and zones to make sure that this can be done. The following tentative dates, with rails and gallinules excluded, were decided on by the Commission

SEASON RECOMMENDATIONS (1991-92)

<u>SPECIES</u>	<u>DATES</u>	<u>DAYS</u>	<u>BAG LIMIT</u>
Snipe	Nov. 9-Feb. 23	107	8
Woodcock	Nov. 28-Jan. 31	65	5

Shooting hours for rails, gallinules, snipe and woodcock shall be 1/2 hour before sunrise to sunset.

Doves:

Option B:	Sept. 7-Sept. 15	9	15
	Oct. 19-Nov. 10	23	15
	Dec. 7-Jan. 3	<u>28</u>	15
	TOTAL	60	

BE IT FURTHER RESOLVED, that these season dates will be adopted at the August meeting as an emergency rule so long as no changes are mandated by the U.S. Fish and Wildlife Service, and

BE IT FURTHER RESOLVED, the Secretary is directed to follow all applicable statutes and administrative procedures when setting the opening and closing dates and that the Commission be notified of any action.

James H. Jenkins, Jr.
Chairman, LA Wildlife and
Fisheries Commission

A. Kell McInnis III
Acting Secretary, LA Dept.
Wildlife and Fisheries

Draft
All Corrections made 7-26-91 JR

MINUTES OF MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

July 9, 1991

Chairman James H. Jenkins, Jr. presiding.

Tuesday, July 9, 1991

Houston Foret
Bert Jones
Norman McCall
Warren Pol
Pete Vujnovich

Commissioner Jeff Schneider was not in attendance.

Acting Secretary A. Kell McInnis III was also present.

Chairman Jenkins announced that Items 6 and 7 on the agenda, Game Hunting Seasons and Date and Resident Game Birds would be taken up in the afternoon since there was a Commission member who could not be at the meeting till noon.

Chairman Jenkins called the July Commission meeting to order then called for a motion to adopt the **Minutes of the June 6, 1991, Commission Meeting**. A motion was made by Mr. Foret for approval of the minutes. The motion was seconded by Captain Vujnovich and passed unanimously.

Signs for Offshore Shrimp Line at Caillou Boca was the next item presented to the Commission. Mr. Foret announced that there was a fisherman in the audience that would present this information. Mr. Foret handed out maps and materials and asked Mr. Ronnie Picou to address the Commission. Mr. Ronald (Ronnie) Picou, 602 San Antonio Boulevard, Houma, Louisiana, addressed the Commission. On behalf of his fellow fisherman Mr. Picou asked the Commission to consider, vote and promulgate into law a revised statute for: a clear and visible line of distinction - a viable line, a sign type marker of a reflective nature, affixed on a high land point to point (piling on land) as indicated in Exhibit A (known as Caillou Boca).

This line of distinction would be visible day or night with no excuse for violations. There is much confusion as to the correct existing line. This area also would become a safe haven for smaller vessels in harvesting migrating shrimp without danger to life and property from the elements of nature during the shrimp exodus advised Mr. Picou.

The second petition presented by Mr. Picou dealt with the **Moving of the Offshore Shrimp Line at Wine Island Pass**. This petition also requested the Commission for a revised statute for a new line from the northwest end of the tank battery platform at Wine Island Pass (across the Monkey Bar - Wine Island rock jetty) to the northwest tip end of Timbalier Island at Cat Island Pass also using reflectors markers from point to point to point as indicated in Exhibit B. This also would become a safe haven as explained in Petition A advised Mr. Picou.

Concluding, Mr. Picou thanked the Commissioners for listening to the fishermen on this most important matter and asked if there were any questions.

Chairman Jenkins asked about the existing shrimp line and the proposed line as indicated on the map. Mr. Picou explained that there is much confusion to many of the fishermen who work the area and it seems that some who do not have loran become victims at that particular point because they do not have the facilities to be able to work in that particular area. The proposed line would be clear and concise to where the fishermen could see it from one side to the other in the dark with spotlights and there would be no excuse for violation. Chairman Jenkins asked why the line at the Monkey Bar area was moved inward. Mr. Picou advised because of the rebuilding of Wine Island the Monkey Bar, on low tides, is starting to protrude and become visible and the line is drawn right on the Gulf Side of the bar which would still be following a beach front. Chairman Jenkins asked if the rebuilding of Wine Island was being done for a private owner. Mr. Picou answered that from what he understands this is being done for a double purpose, one is the for dredging the Cat Island Pass and the other is the rebuilding of the barrier islands.

Chairman Jenkins asked if anyone else from the Commission had any questions. There being none Chairman Jenkins asked Mr. Don Puckett, Legal Counsel, if it was possible for the Commission to do anything about this. Mr. Puckett advised that as he reads it on defining or redefining the inside, outside line, this is the province of the legislature and does not think it has been delegated to the Commission. Chairman Jenkins stated that this was one of his concerns. After further discussion on who has the authority to define or redefine inside, outside lines Mr. Puckett advised that from his recollection and knowledge concerning changes in the line they were made by the legislature and does not recall during his tenure with the department the Commission changing the line. There have been occasions when the department or the Commission has proposed legislatively that it be change stated Mr. Puckett. Mr. Picou stated that if this was the case they would like to introduce this for legislation as soon as possible. Chairman Jenkins suggested that the Commission take this under advisement and check it out and possibly a recommendations could be made that the department staff study this and make recommendations to the legislature. Mr. Picou advised that with all of them working together maybe they could get something done

and thanked the Commission for their consideration.

Mr. Blachard addressed the Commission on this matter and advised that the line at Calliou Boca has been abused and it is not where the Wildlife and Fisheries in Terrebonne Parish claims it is. When Doug Greenburg took office he moved the line about a half of mile further out. Two years later he moved it back in to the U.S. Coast Guard light which has been torn down and rebuilt further out. The line according to Louisiana law, in latitude and longitude, is a quarter to three-eighths of a mile further in. The fishermen are not allowed to work this area and are asking the Commission to have Enforcement enforce the line according to Louisiana law and not according to a landmark that has been moved concluded Mr. Blanchard.

A Discussion on Spotted Trout Quota-Limits-Sizes was held. Mr. Pol advised that the reason he put this item on the agenda was because he was completely ignorant of what is going on. First they are told that everything is alright with the speckled trout, then it is found out that the commercial fishermen have not reached their quota. How come the quota has not been reached asked Mr. Pol? Some people say that the multiplier is being applied wrong against the amount of fish that are reported. A lot of fish are being caught that are not reported especially in the Cameron-Lake Charles areas that are being loaded directly into vans and are taken to Texas. Also reported was that there are several boats that fish the Breton Islands-Chandeleur Sound that do not come into Louisiana's waters but go into Mississippi, Alabama to discharge their catches. The restaurants are not required to report the fish that they buy. Mr. Pol advised that they are now approaching the spawning season and he wants to be as fair to the commercial fishermen as he is to the sports fishermen. If speckled trout has gotten back to what it was before then the reporting or method of seeing what is caught and reported is not right and something needs to be done about this stated Mr. Pol. Mr. Pol advised that he has talked to a lot of people that are knowledgeable on this and they feel like people have found out how to beat the system. Consideration should be given to whether a certain monthly (September to March) period be set for commercial fishermen. The system now being used is being beat and it is the opinion of many people that the quota was reached at least two months ago as it has been in the last two or three years. Mr. Pol asked Mr. John Roussel to give the estimated quota as of now.

Mr. Roussel addressed the Commission (summary chart on totals was handed out) and advised that the cumulative total through July 7, 1991, is 1.12 million pounds reported landed. This is not a true figure through July 7th because nobody is required to report July landings until August 10th. The June and July numbers were obtained through the department's efforts of calling around and going out and collecting information prior to the system requiring them to report it. The last true figure on the chart was the May figure because the June landings are not required to be reported until July 10th. The most accurate figure would be that 1.12

million pounds have been landed through the first week of July. This figure has been run through the projection model that is used every year to obtain a projected closing date. The projected closing date would be sometimes in early August advised Mr. Roussel.

Mr. Pol stated that he sees no sense in closing it if the season is going to be opened again in September and asked Mr. Roussel what did he feel like, as one of the biologists, the problem is that the commercial quota has not been met and is the multiplier being applied wrong. Mr. Roussel advised that the only multiplier that is used in any kind of calculation is in those cases where fish are landed in a gutted condition. A conversion factor is used to convert back to a whole weight because the quota is in whole weight. The only other step that involves any kind of multiplier is the projection model. Mr. Roussel gave a brief background on the projection model and the ten year data set. Mr. Pol asked if the restaurants report the fish that they buy and does the department have any way to check this. Mr. Roussel advised that under the present law restaurants who buy directly from a commercial fisherman are required to submit reports and the question regarding checking would have to be answered for each individual restaurant. The restaurants that buy from another dealer are not required to report but the dealer who is the first buyer is required to report. This keeps from double counting fish. Chairman Jenkins asked if there were any report where restaurants are reporting buying fish directly from a fisherman? Ms. Karen Foote advised that they do. Chairman Jenkins asked how many? Mr. Roussel advised that for Ms. Foote to answer that question she would have to go through a list of probably three thousand people to pick out how many. Ms. Foote stated that a month ago there were about fifteen restaurants. Mr. Pol asked Mr. Roussel why a quota has not been reached. Mr. Roussel stated that he did not know of anyone who could defensively say why and there are a number of possible explanations. One possibility would be the availability of fish which is the most logical one that most people think about. Another possible explanation would be effort. Mr. Pol asked if in Mr. Roussel's opinion did he think the system was being beat and has a quota been reached. Mr. Roussel answered that based on the information that he has available, which he considers to be the best that anybody has, no it has not. Mr. Pol asked Mr. Roussel since some people feel like the system is being beat if he thought a specified time should be set (September-May) for a season instead of a quota. Mr. Roussel stated that a season is a management option, however, a season does not automatically control the amount of harvest as it is quite possible a lot more could be harvested than a quota would allow. Mr. Pol asked if one special division answerable to the Secretary that would check just the catches would help. Mr. Roussel stated that if he understood the question to be the dedication of additional people to collect the data needed for monitoring the amount of fish harvested any biologists would like to have more and better data and he would think it was a good idea. Mr. Pol advised that he had wanted to discuss this and see what was wrong and do something to help both the commercial fishermen and

sports fishermen. Mr. Pol believes that if this goes through the spawning season this is the wrong thing and he would accept any recommendations from anybody that would help do a better job.

Mr. McCall asked Mr. Roussel what good is the data if it is not accurate? They know that there is cheating going on. Mr. Roussel stated that if he knew that data was not accurate his first step would be to correct those deficiencies in the data collection system. Mr. McCall asked how was this going to be done where they do not know how much cheating is going on. Mr. Roussel commented that if you know it is going on, you know how it is going on and you should be able to correct that deficiency.

Mr. Pol asked if any citations were issued for under reporting. Chairman Jenkins advised that the answer to that was yes.

Continuing, Mr. Roussel stated that in lieu of having to make something up he would rather go with data that he has, recognizing that it has some inadequacies. Mr. McCall commented that he sees where Mr. Roussel is coming from and that he is going to stick by the data he has which is the best he has. It is known that there is cheating going on and the information is not correct data. The point that Mr. McCall is getting at is how much of this is going on is not known. By getting better enforcement and catching these people Mr. McCall thinks the quota will be met a whole lot quicker than this year and personally does not believe the quota will be met this year or the following years with the system that is in place now. A system is needed that is more accurate in reporting and better enforcement to stop this advised Mr. McCall.

Acting Secretary McInnis commented that last month the Commission had asked the department to take a look at the reporting system. Ms. Karen Foote, John Roussel, Dr. Jerry Clark and Enforcement Division have addressed this and it will be presented at this meeting. The trip ticket system that is currently in use in Florida will be discussed and is one of the answers to getting more accurate data. The department is addressing the issue, and they are concerned about the accurateness of the data and availability to double check it advised Acting Secretary McInnis.

Chairman Jenkins asked if there were any other Commission members who wanted to comment. There being none he asked if anyone from the audience wanted to speak.

Mr. Mark Hilzin, GCCA, addressed the Commission. Mr. Hilzin stated that he had a few comments to make but believed he would wait until the appropriate time in the agenda to make them. Mr. Hilzin addressed one comments that Mr. Pol made earlier about "what is the use of closing the quota down if it is only a few weeks left before it starts again" stating that he certainly shares Mr. Pol's frustration and all but would hope that if in fact a projection can be made for a closure before September 1, even if it is two or three weeks, that the season closes on the projected date.

Mr. T-John Mialjevich addressed the Commission. Mr. Mialjevich

stated that as a third party observer he thinks the problem is enforcement. There is cheating on both sides Mr. Mialjevich believes but has not heard any discussion about any citations given to recreational fishermen catching over the limit. With the ten year average that Mr. Roussel talked about that if there was under reporting now surely there must have had under reporting then commented Mr. Mialjevich. If the commercial fishermen are going to be penalized now because the system does not work the way others want it to because of under reporting then the quota should be reevaluated and the under reporting factor over the ten year historic landings added in which might gave a 2 million pound quota for commercial fishermen instead of 1.25 stated Mr. Mialjevich. Mr. Mialjevich stated that he agrees one hundred percent with getting rid of all outlaws on both sides of the fence and save the resource for everybody. Look at this in a rational way and give the enforcement way a try. Mr. Mialjevich does not believe that the speckled trout species will become endangered if there is no quota closure this year and he pointed out that another problem why the quota has not been reached could be the bad weather this year.

Mr. McCall commented that he may had given Mr. Milajevich the wrong impression that he was picking on commercial fishermen but at the last Commission meeting he mentioned that he thought there was cheating on both sides, commercial and sports.

Mr. George Patterson, Lacombe, Louisiana, addressed the Commission. Mr. Patterson advised that they fish all inside waters, Lake Pontchartrain, Delico Island, Leeville and Golden Meadow and while they are fishing they are being surrounded by nets. The problem is that the nets are catching even the bit laying fish. The nets are everywhere on inside waters and if you want to catch bigger trout you have to get out where there are no nets concluded Mr. Patterson.

Chairman Jenkins asked if there were any more comments. There being none Chairman Jenkins stated that if he was not mistaken he believed that the Commission gave the Secretary the authority to close the season when the quota is met and it could close between now and the next meeting. Mr. Pol stated yes (referring to the authority that was given).

A presentation on the **Natural Area Registry/Kisatchia National Forest Recognition** was given by Mr. Johnnie Tarver. Mr. Tarver reported that the Natural Area Registry Program is a contracted agreement with the Nature Conservancy to oversee the Registry Program. Ms. Mary Catillo is the landowner contact. This program was created in 1987 and is a cooperative venture between the department and the Nature Conservancy. The primary objective of the program is to register and ensure the survival of the best remaining natural landscapes. It is necessary to work with the landowners to safe guard these areas. The program is currently voluntarily and is used as an educational and public relations tour. Currently registered, in writing, there are over fifty

tracts of land totalling over thirty four thousand acres. The sites are located in twenty two of the sixty four parishes and include public as well as private lands. All sites are selected by the Natural Heritage Program. The Registry Program has ensured the survival of rare animals and plants. Mr. Tarver advised that they would like to make special presentation today for two sites which are located on the Kisatchie National Forest. Mr. Danny Britt, Supervisor, Kisatchie National Forest, is attending the meeting representing Kisatchie. These two areas now makes a total of six hundred and forty one acres registered on Kisatchie which represents eight sites. The new additions are the Sheard Branch Boulders Natural Area (40 acres) and the Sheard Branch Sandstone Barrens Area (30 acres).

At this point in the meeting Mr. Tarver introduced Mr. Danny Britt at which time two plaques were presented. Following the presentation, photographs were taken. Mr. Britt commented that they appreciate the cooperation that the Natural Heritage Program and the Nature Conservancy has provided to recognize these areas, help inventory and prepare management guidelines for the areas. Mr. Britt thanked the department and Nature Conservancy for the plaques and recognition.

Mr. Tommy Prickett presented a **Emergency Declaration on the Wild Alligator Harvest**. Mr. Prickett presented to the Commission a Declaration of Emergency to set the Alligator season for the upcoming fall. Last year the season was September 1st through the 30th. There were 25,801 alligator tags issued with a harvest of 25,000 alligators. This is a 97 percent success rate. The average size was seven feet and the sale of the 25,000 alligator hides generated ten million dollars for the landowners and hunters. The sale of meat, 700,000 pounds, generated an additional three million dollars. The season was very successful. The dates being recommended for this year are August 31st through September 29th. Quotas for the harvest are being calculated now and will be brought to Acting Secretary McInnis next week for his approval. Concluding Mr. Prickett asked if there were any questions. There being none Chairman Jenkins asked Mr. Prickett to read the declaration of emergency. Mr. Prickett concurred. A motion was made by Mr. McCall that they approve the declaration as read by Mr. Prickett. The motion was seconded by Mr. Pol and passed unanimously.

(The full text of the emergency declaration is made a part of the record)

DECLARATION OF EMERGENCY
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

ALLIGATOR RULE

In accordance with the emergency provisions of R.S. 49:953(B), and the Administrative Procedures Act, R.S. 49:967(d) which

provides that the Wildlife and Fisheries Commission use emergency procedures to set the wild alligator season, the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held 9 July 1991 in Baton Rouge, Louisiana, does hereby set the 1991 wild alligator season dates as follows:

Wild Alligator Season 31 August 1991 through 29 September 1991.

This emergency adoption is necessary to allow Department biologists adequate time to gather the biological data required to recommend season dates and harvest quotas based on up-to-date information.

James H. Jenkins, Jr.
Chairman

Mr. Johnnie Tarver presented a **Notice of Intent on Rule Change for the Game Breeder's License, Wolves and Wolf Crosses**. Mr. Tarver advised that the private sector possession of wolves or wolf hybrids regardless of the original parental is prohibited under present law. Exceptions are available for educational institutions, zoos and scientific organizations. This has caused certain problems mainly dealing with enforcement and dealing with the public interest that has been shown with the recent movies that have come out. There is a lot of interest by the public and they have what they consider wolves and wolf crosses in their possession. The present rule and regulation does not adequately address this and the proposed amended rule will try to clarify this. The department proposes to modify the existing game breeder's license, specifications to allow for the private possession of gray wolves and gray wolf hybrids without a permit from the department. The possession of red wolves or red wolf hybrids still remains illegal. To assist in enforcement with these regulations owners of gray wolf hybrids should retain proof of parentage for each animal. Concluding, Mr. Tarver read the notice of intent and advised that they are attempting to clarify for the public and enforcement purposes what the intent of the law is. Chairman Jenkins called for questions from the Commission and audience. There being none Chairman Jenkins called for a motion. A motion was made by Mr. Pol that they accept the notice of intent. The motion was seconded by Captain Vujnovich and passed unanimously.

(The full text of the notice of intent is made a part of the record)

NOTICE OF INTENT

DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

TITLE 76
WILDLIFE AND FISHERIES

PART V. WILD QUADRUPEDS AND WILD BIRDS

Chapter 1. Wild Quadrupeds

Section 107. Game Breeder's License

The Department of Wildlife and Fisheries does hereby give notice of its intent to amend and adopt the rule governing game breeder's license, that part dealing with wolves and wolf crosses. The specific section to be amended is as follows:

9. *WOLVES AND WOLF CROSSES

- A. No license will be issued to possess red wolves or red wolf hybrids.
- B. Persons possessing full-blooded gray wolves must obtain a permit from the U.S. Fish and Wildlife Service. No license from the Louisiana Department of Wildlife and Fisheries necessary.
- C. Persons possessing gray wolf-domestic dog hybrids must retain proof of parentage for each animal. No license from the Louisiana Department of Wildlife and Fisheries necessary.

Single animal: 15 feet long x 8 feet wide x 6 feet high; double cage area for each additional animal; secluded den area required, 4 feet x 4 feet for each animal; sturdy wire required.

Interested persons may submit oral and written comments relative to the proposed amendment until 4:30 p.m., October 18, 1991, and are to be sent to Johnnie Tarver, Administrator, Habitat Conservation Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:171.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:631 (September, 1988), Amended L.R. 17: (, 1991).

James H. Jenkins, Jr.
Chairman

Mr. John Roussel presented a **Resolution for Secretarial Authority for Fall Inshore Shrimp Season Opening**. Mr. Roussel explained that this resolution authorizes the Secretary of the department to set the opening and closing dates for the fall inshore shrimp season. The reason this was prepared for the Commission's consideration is because the August Commission meeting, which is the meeting that normally the inshore fall season is set, is scheduled for the

Friday, August 9th. Traditionally, and by law, the fall season has been set in the pass to begin on the third Monday in August. Two years ago the legislature granted the Commission authority to set the season and in those instances the data has indicated that the opening date should be on that third Monday in August. This year the samples on the fishing grounds have indicated that there has been recruitment of white shrimp to some areas of the coast a little earlier than normal and it is quite possible that this fall inshore season the data may suggest that it be set slightly ahead of that third Monday in August. If this is the case the Commission would not have enough time between the August 9th meeting to set the season any earlier. This resolution is like a safety net to provide the flexibility where the Secretary could set the opening date for the fall season if the biological data indicates that the opening date should be set and not enough time would be allowed for the Commission to have it as an agenda in August. The resolution also provides that the Commission will be notified before any decision is made. Mr. Roussel read the "Therefore Be It Resolved" text of the resolution. Chairman Jenkins called for questions from the Commission and audience. There being none Chairman Jenkins called for a motion on the resolution. A motion was made by Captain Vujnovich that the resolution be accepted. The motion was seconded by Mr. Foret and passed unanimously.

(The full text of the resolution
is made a part of the record)

RESOLUTION
WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
JULY 9, 1991

- WHEREAS, R.S. 56:497 authorizes the Wildlife and Fisheries Commission to set no less than two shrimp seasons for Louisiana's inshore waters, and
- WHEREAS, historically the fall inshore shrimp season has opened on the third Monday in August, and
- WHEREAS, in some years catches of marketable sized shrimp have observed during the first week of August, and
- WHEREAS, it appears white shrimp recruitment during 1991 is earlier this year than in recent years, and
- WHEREAS, in 1991 the Commission's August meeting is scheduled somewhat later in the month and at a remote location, and
- THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby authorize and empower the Secretary of the Department of Wildlife and Fisheries to set the opening dates and closing dates for the 1991 fall inshore shrimp season based on biological and technical data, and

BE IT FURTHER RESOLVED, the Secretary is directed to follow all applicable statutes and administrative procedures when setting the opening and closing dates and that the Commission be notified of any action.

James H. Jenkins, Jr.
Chairman

Mr. Don Puckett presented **Right-of-Way Deed to DOTD/Alexandria Office** to the Commission. Mr. Puckett presented a resolution to and proposed Act of Sale for a small portion of property (.009 acres) adjacent to the Alexandria (Region III) Regional/District Office. This is strictly a taking that DOTD has proposed for a highway right-of-way. They have tendered it to the department and have based this upon two appraisals that were received in the Alexandria area by two certified appraisers and they came out with an appraisal of a \$1.72 per square foot coming to a price of \$674.00. This is being submitted to the Commission for their consideration at this time advised Mr. Puckett. Chairman Jenkins called for questions from the Commission and audience. Mr. Jones asked what was the purpose of this. Mr. Puckett explained that it was a highway right-of-way, they are widening the road. Chairman Jenkins asked Mr. Puckett to read the "Therefore Be It Resolved" portion of the resolution. Mr. Puckett concurred. Chairman Jenkins called for a motion on the resolution. Mr. Pol made a motion that they adopt the resolution that authorizes the Chairman to consummate the sale. The motion was seconded by Mr. McCall and passed unanimously.

(The full text of the resolution
is made a part of the record)

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
RESOLUTION

July 9, 1991

WHEREAS, the Department of Transportation and Development is in need of a small portion of property owned by the Commission upon which the Alexandria (Region III) Regional/District Office is located for purposes of a road right-of-way, which parcel is more fully described on the attached Act of Sale which is made a part hereof.

THEREFORE, BE IT RESOLVED, that this Commission does hereby authorize its Chairman to execute the attached Act of Sale or a version of same modified in accordance with such formalities and legal requirements as may be recommended by Counsel.

(_____)

Met
pg

James H. Jenkins, Chairman

A. Kell McInnis III
Acting Secretary

9 July 91
Date

The **Pearl River WMA Land Exchange** information was presented by Don Puckett. Mr. Puckett informed the Commission that what they have before them is a proposed Act of Exchange involving no money. At this time Mr. Puckett passed out the resolution to the Commissioners. There are approximately two twenty-six acre tracts of land located in St. Tammany Parish in the vicinity of the Pearl River Wildlife Management Area. Several years ago the department and the private owner of the other parcel agreed to an exchange of land involving this and a legislative act was passed authorizing this exchange. This was held up for a long period of time because of some legal requirements concerning the department's original purchase of the land where the department agreed to offer right of first refusal to the vendors at that time. The private landowner, Mr. Osey Singletary, has persisted in trying to consummate this exchange and has finally reached an agreement with the original vendors or their heirs with the regard to the right of first refusal. Since that time and because of the agreement worked out between the department, Commission and the Division of Administration it is incumbent upon the department to bring this to the Commission for an approval of the exchange. Mr. Puckett submitted the exchange to the Commission and informed them that based upon a review by the Regional Game Supervisor this is viewed to be advantageous to the department from the standpoint of making a more contiguous boundary at the Pearl River tract and providing better access. The two parcels appraised out about the same, with the department land appraising lower than the private property that is being offered. Chairman Jenkins called for questions from the Commission and audience. Mr. Pol asked what was the reason this was being done. Mr. Puckett explained that this was originally proposed several years ago. The department reviewed the exchange and it appeared that the private landowner's twenty-six acre parcel was actually more advantageous to the department than the one that is held which is more of an inholding. This places more of a contiguous boundary on the WMA and allows better access than the one presently owned by the department. Mr. Pol asked what did the appraisal amount to on both pieces of land. Mr. Puckett advised that on the private tract of land there was an appraisal issued of \$400 per acre and because of the restricted nature of the tract that the department owned there was an appraisal of \$200 per acre placed on the department's property. Chairman Jenkins asked Mr. Puckett to read the "Therefore Be It Resolved" portion of the resolution. Mr. Puckett concurred. There being no other discussion, Chairman Jenkins called for a motion on the resolution.

Mr. Pol made a motion that they adopt the resolution that authorizes the Chairman to make the exchange. The motion was seconded by Mr. McCall and passed unanimously.

(The full text of the resolution is made a part of the record)

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
RESOLUTION

July 9, 1991

WHEREAS, the Commission supports an exchange of property between the Department and one Osey Singletary concerning two (2) parcels of land, each consisting of twenty-six (26) acres more or less, situated in St. Tammany Parish which parcels are more fully described in the attached Act of Exchange which is made a part hereof.

THEREFORE, BE IT RESOLVED that this Commission does therefore authorize its Chairman to execute on behalf of this Commission the attached Act of Exchange or a version of same modified in accordance with formalities and legal requirements deemed necessary by Counsel.

James H. Jenkins, Chairman

A. Kell McInnis, III
Acting Secretary

9 July 91
Date

re/avant

Ms. Bettsie Baker gave a presentation to the Commission on **Oil Spill Restoration Activities/Trusteeship**. Ms. Baker reported that something important has happened within the last eight to nine months that the department has been involved with and this is something that Mr. Baker wanted to present to the Commission because it is ~~revelent~~ *re/avant* for what the department does. Ms. Baker presented to the Commission the process and what happened with a test case that just came before the department. There are thousands of oil wells in Louisiana that can potentially do damage to fish, wildlife, or habitat. Federal legislation has been put in place, starting about 1980, to take account for potential bad things that happen, whether it is oil spills, hazardous substances or anything that affects the environment, fish, wildlife, habitat, waterways, etc. Legislation has been passed through CERCLA (Comprehensive Environmental Response Compensation and Liability Act of 1980). This in concert with the Clean Water Act of approximately the same time period and the Oil Pollution of 1990 all come together from a federal regulatory perspective to handle when hazardous substances or oil substances are released into the

environment. This give you a method of dealing with this from correcting the action taking place (cleanup particularly but not just cleanup) also the recovery of damages for damage to the environment as a result of these activities. In February of this past year Texaco had an oil spill and it directly affected one of the wildlife management areas and approximately 1,000 birds that were killed as a result of the spill. Subsequent to this, partners in this federal action (federal trustees and state trustees) were called together to determine how to assess what the damage was that had been done to the State of Louisiana, to wildlife, to habitat, and to fisheries. Not just the instantaneous damage but potentially future damages that would result from the lost of the parent population, damages as a result of environmental loss, or recreational loss, etc. A group of about fifteen persons representing the Department of the Interior, National Oceanographic Administration, the Coast Guard, Department of Environmental Quality, Wildlife and Fisheries, etc. were introduced to "How To Do A Natural Resource Damage Assessment" in light of releases of either oil or hazardous substances. A test case was set down and a methodology to help provide restitution for the loss of the resources was worked on. What resulted from this was that the group got together and determined that there was damage that happened as a result of this spill. There are several tests that you have to come forward with. You have to prove that there was damage, you have to have some definition of what the injury was which needed to be for a discharge of oil or hazardous substance. This procedure provides a very simple method to approach this rather than hundreds of hours of attorneys, economists, and biologists getting together and trying to make this determination. Twelve to fifteen people sat down for approximately three days to put together the plan of action and what the damage assessment should involve. Once the group concurred as to what the damages looked like the company representatives were called in to try and come forward with a cooperative venture on how to address this and did they in fact agree that damage had taken place. As a result of this the company at hand did in fact agree that there were damages and they agreed to come forward to the trustees and make restitution for the loss of wildlife and the loss of habitat. In this situation several plans of action were presented of fixed assets that were needed to be put in place to help the habitat. Texaco agreed to the construction of a breakwater facility in the Lake Salvador area which will help retain the marsh habitat as freshwater habitat, will be good for the ducks and will have a positive impact on the fisheries resources that may have been damaged as a result of this. This is a way that agencies who may seem to have very different purposes can get together, work cooperatively, unify their efforts and come forward with a plan of action that is agreeable to all the parties that are participants as well as to the companies that have done damage. Concluding, Ms. Baker stated that they feel this was a very successful test case and are very pleased with Texaco willingness to work with them. Construction of the breakwater has already started and hopefully it will completed in the next three to four months. Ms. Baker asked if there were any comments.

Acting Secretary McInnis thanked Ms. Baker and Mr. Mike Windham for participating in the series of meetings and pointed out that it has been discussed with the Department of Environmental Quality, who is listed as the trustee for the CERCLA and OPA 90 damages in the State of Louisiana, and an agreement has been worked out with the Department of Environmental Quality where the Department of Wildlife and Fisheries will be listed as a co-trustee and actually be in a better position to receive assistance in working with these damage assessments.

Mr. Johnnie Tarver and Mr. Blue Watson gave a **Review on the Scenic River Streams Rule** for informational purposes. (Copies of the rule can be obtained from the department). Mr. Tarver explained this item is being brought before the Commission for informational purposes only and Mr. Watson will go into the details of the rule. In 1970 the Scenic Streams System was created and included instantaneous scenic rivers. Several rivers or streams have been added since that time and at the present time there are forty nine streams or segments within the system covering about fourteen hundred miles. The inclusion of two more streams that will take place on the signature of the Governor this year are the Calcasieu River from Whiskacheeta to Moss Bluff and the Bogue Falaya from its origin to Highway 437 north of Covington and it is anticipated that the Governor will be signing these two order soon. Three more streams have been nominated this year which are Bayou Darbonne from Lake Claiborne to Lake Darbonne, Lake Shoepeak in Calcasieu Parish and Bayou Chaudrant in Ouachita and Union Parishes. The new Scenic Rivers Act became effective July 27, 1988. The new act required promulgation of new rules to deal with the system. The Scenic Rivers Task Force with the assistance of the Tulane Environmental Law Clinic developed draft regulations and submitted the draft to the department. This was subsequently approved by Acting Secretary McInnis. At this point in the meeting Mr. Tarver asked Mr. Watson to give a brief overview of the new rules.

Mr. Watson advised that the new Scenic Rivers Regulations will be published in the July State Register which will be coming out on the 20th of this month. At this publication the new regulations will officially be promulgated. The new regulations were developed by the Scenic Rivers Task Force in conjunction with the Tulane Environmental Law Clinic and were presented to the department. A notice of intent was published in March, a public hearing was held in May in Baton Rouge. Quite a few comments were received from the public at the hearing and in writing, most of which were incorporated in the rules and regulations. Very briefly Mr. Watson went through the contents of the rules and regulations. Concluding, Mr. Watson asked if there were any questions. Mr. Pol asked since the Wildlife and Fisheries Commission has absolutely nothing at all to do with this why is it being brought before the Commission. Mr. Watson advised this was for informational purposes only and there were several of the Commissioners who had indicated an interest in the process. Mr. Schneider had served on the Scenic Rivers Task Force prior to taking his seat on the Wildlife and Fisheries Commission. Mr. Jones also indicated an interest in this

matter. Acting Secretary McInnis stated that there have been a number of questions about the procedure such as the nomination process, what it would take for development along the system and what it would take to remove a body of water from the system. Last year the Commission did get involved with the Scenic Rivers System where there was a request to do some development work (oil well) and the matter was denied by then Secretary Van Sickle thus bringing the matter before the Commission for a hearing. The department is just trying to keep the Commission apprised of the status of the system advised Acting Secretary McInnis. Chairman Jenkins asked what types of major complaints have been received on putting these rivers on the list. Mr. Watson advised that most of the complaints come from the riparian landowners whose primary concern is loss of privileges along the river on property that they own. The Scenic Rivers Act and the regulations provide that the Scenic Rivers Act cannot interfere with normal activity of the landowner along the stream on the riparian lands. Activities within one hundred feet of the stream if it is determined that they will have a significant impact on the ecology of the stream may be required to get a permit. There is little prohibition with the single exception of commercial clear-cutting of trees within one hundred feet of the stream that is provided for in the statute, not in the regulations, that would actually interfere with the landowner doing pretty much what he would like to do with his property. Within the one hundred foot buffer strip there certainly would be some consideration and discussion with the landowner about the possibility of having to secure a permit. What kind of impact this would have on property rights have been the primary concern commented Mr. Watson. Chairman Jenkins stated he was kind of concerned about this also and is always concerned when the government wants to take people's private property and do thing with it without their permission or paying for it. Mr. Watson advised that they tried to be extremely careful in the wording in the regulations and in the statute so that activities that the department would get involved in would not constitute a taking without due process. Chairman Jenkins thanked Mr. Watson for his presentation.

A Resolution for Approval of Land Acquisition was presented by Mr. Robert Love. Mr. Love, Game Division, advised that they have been in the process of evaluating and compiling a list of available tracts for acquisition for inclusion into the wildlife management area system. In cooperation with the sub-committee of Land Acquisition the department has actively pursued purchase of a 6,900 acre tract of land in East Carroll Parish and has negotiated a contract purchase agreement. The tract is bisected by Louisiana Highway 2 and has a blacktop road in the south end. There is about 5,600 acres of bottomland hardwood and 1,600-1,700 acres of agriculture land on the south end. The tract is located in the northeast corner of Louisiana and fills a void where there are no recreational outlets. The new wildlife management area will be named the Bayou Macon Wildlife Management Area as Bayou Macon is the prominent geographical feature that runs down the western side of the tract with the Macon Ridge west also.

Mr. Pol asked how come the cost of the property was not in the resolution. Mr. Love stated that the cost was \$2,713,000 for 6,900 acres which works out to be \$393 an acreage on the average and the purchase price was approved by the Commission's Land Acquisition Committee. Mr. Pol commented that the price should be reflected in the resolution since the acreage was reflected. Mr. Love advised that the purchase price would be added into the resolution. Chairman Jenkins asked Mr. Love to read the "Therefore Be It Resolved" portion of the resolution. Mr. Love concurred. Chairman Jenkins asked if there were any more questions. Mr. Jones stated that he thought it needed to be brought up that this was the first acquisition that the department has had in a significant period of time, this is the first acquisition to use the bond money from the sale of the New Orleans building and the land acquisition program for the Wildlife and Fisheries is up and going. Acting Secretary McInnis added that he is very pleased with this and this is an excellent site. As of last night the Capital Outlay Bill followed the Appropriations Bill through the process and Acting Secretary McInnis stated that he would like to personally go on record of thanking Mr. Dennis Stine who protected the monies that were set aside in the bond program for the department last year. There was an attempt to remove some of the dollars and with the help of the Commissioner of Administration and support of the Governor the department was able to keep the entire eighteen million dollars in tact. Another seven and a half million has been moved up to Category 2 which should be available in September and the balance of the monies would remain in Category 3 advised Acting Secretary McInnis. Hopefully by the turn of the calendar year the department will have been in the process of spending most of the eighteen million dollars and there are some excellent sites identified. If the department is successful in negotiating with some of the parties the department will have enhanced the public property for the State of Louisiana. Chairman Jenkins called for comments. There being none Chairman Jenkins called for a motion on the resolution. Mr. Jones made a motion to accept the resolution. The motion was seconded by Mr. Pol and passed unanimously. Mr. Hugh Bateman, on behalf of the Game Division, thanked Mr. Love for the work that he has done on the acquisition program.

(The full text of the resolution
is made a part of the record)

RESOLUTION

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES LOUISIANA WILDLIFE AND FISHERIES COMMISSION

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES
COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, JULY 9, 1991

WHEREAS, the Louisiana Department of Wildlife and Fisheries and the Louisiana Wildlife and Fisheries Commission both recognize the value of acquiring lands for outdoor recreation, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has an active land acquisition program, and

WHEREAS, the game division staff, in concurrence with the land acquisition committee, have actively pursued purchase of a certain 6,900 acre tract of land in East Carroll parish, and

WHEREAS, this activity has resulted in the negotiation of a Purchase Agreement which has been agreed to by both Westbank Planting Co. and this Department, and

WHEREAS, the purchase price which has been agreed upon is two million, seven-hundred and thirteen thousand dollars (\$2,713,000), now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize the Secretary to consummate these negotiations through Cash Sale and to acquire said lands and include these lands into the Departments Wildlife Management Area program, and

BE IT FURTHER RESOLVED, that the new acquired lands be named the BAYOU MACON W.M.A., and established as a Wildlife Management Area after Proclamation by the Governor.

A. Kell McInnis III
Acting Secretary
LA Dept. Wildlife & Fisheries

James H. Jenkins, Jr.
Chairman
Wildlife & Fisheries Commission

The Meeting Date for October Commission Meeting was set for Tuesday, October 8, 1991, at the Wildlife and Fisheries Building, Louisiana Room, Baton Rouge, Louisiana.

Chairman Jenkins adjourned the meeting for lunch until 1:30 p.m., Tuesday, July 9, 1991.

At 1:30 p.m., July 9, 1991, Chairman Jenkins called the July Commission meeting to order.

A report on the Nutria Control Cost Share Program was given by Mr. Tommy Prickett. Mr. Prickett reported that there are many areas of the state where there is an over population of nutria. This over population has been caused by depressed prices in the fur industry which has translated into reduced effort by trappers. The season information from last year points out what is going on and the trend has been taking place since the mid 1980's. Last year (1990) 1,000 trapping licenses were sold. In 1989 there was 1,800 licenses sold. Historically, and through the mid 80's the department averaged 12,000-15,000 trapping licenses every year. Last year there were 135,000 nutria harvested. In 1989 there were 155,000 harvested. Through the mid 80's an excess of one million

animals were harvested each year with a high of 1.9 million. The trapping industry has cratered and it is all based on the price of the pelts the trappers are being paid. Two years ago the department came before the Commission, presented a slide presentation and information that documented the over population and the fact that marsh is being damaged throughout the state, primarily in southeast Louisiana, and the Commission asked the department to address this problem. Three things have been implemented since that request. Special permit have been issued which allows landowners, and their trappers, with nutria damage to take nutria during closed season in damaged area; allowed landowners with agriculture crops being damaged by nutria to take nutria during closed season (these permits are issued with the consent of the Enforcement Division after the individual is checked out); and the trapping season has been extended (1990) which amounted to an additional 20,000 nutria being taken last season but was still the lowest year for fur harvest on record. The department supported and sponsored Act 552 which was passed by the 1990 legislature. This legislation was the Nutria Cost Share Incentive Program. The guts of the program is an incentive of \$1.00 which will be paid to the trappers for each nutria that is taken and sold from nutria damaged areas throughout the state. The \$1.00 that will be paid to the trappers will be paid one-half by the state with funding from the Coastal Wetlands Restoration Fund and one-half by the landowners. For this coming year \$50,000 from the Coastal Wetlands Restoration Fund has been approved. The program is implemented in full and the landowners match this, which would be another \$50,000 which translates into 100,000 additional nutria being harvested from nutria damaged areas. Act 552 also authorizes the Secretary of the department to promulgate rules and regulations through the Administrative Procedure Act to implement this program. It authorizes the Secretary to enter into agreements with landowners, where documented nutria damage is occurring, and also authorizes him to administer the program statewide. Mr. Prickett pointed out that in the packet that the Commissioners have there is an application which landowners will fill out and submit to the department applying to enroll in the program. A Fur and Refuge Division biologist will go out and investigate the application to document if there is actually nutria damage and if this is the case it will be recommended to the Secretary that he enter into an agreement with the landowner. The agreement will spell out, very clearly, the areas of nutria damage and what the department will do which will be supervise the trapping activities and pay fifty cents of the one dollar incentive. It also outlines what the landowner will do which will be to pay the other fifty cents and keep accurate records on the number of animals taken from the nutria damaged area. Also in the packet are some rule that are being proposed which have not been accepted yet along with a resolution asking the Commission to approve the Secretary to promulgate rules through the Administrative Procedure Act to get this program into full force during the 1991 trapping season concluded Mr. Prickett. Chairman Jenkins asked if there were any questions.

Mr. McCall asked if there was any specific time that the animals have to be trapped. The animals have to be trapped during the open legal trapping season which would include any extension that the Secretary is already authorized to implement if it becomes necessary answered Mr. Prickett. Mr. McCall reiterated that the state gives fifty cents towards the pelt and the landowner gives another fifty cents making a total of one dollar. Mr. Prickett stated that was right and the trapper must sell the pelts and the program is strictly for animals that are harvested and entered into commerce. This is to keep people from going out and just simply shooting nutria to try and get the one dollar. This is an incentive to encourage people to legally trap in areas where there is damage so the animals taken have to be entered into commerce and the pelts have to be sold. Chairman Jenkins asked if Mr. Prickett thought that the incentive would make a difference. Mr. Prickett advised that in certain areas it will. The trappers have indicated that the prices in southeast Louisiana and south central Louisiana where most of the damage is occurring are considerably less than the price paid for nutria in the western part of the state. Last year the price average about \$2.75 a pelt so there was very little trapping activity. The additional dollar incentive, the department is told, will make the difference between whether they will actually go into the marsh and trap or stay at the house. This will also give the trappers the incentive to key their trapping efforts on the areas where there are over populations of nutria and marsh damage. Chairman Jenkins asked if there was any alternative if no one elects to trap the nutria. Mr. Prickett stated that the "key" as explained in great detail two years ago is an incentive through the legal trapping program. Trappers are needed in the marsh to trap and the only thing that is really going to turn this around in a big way is for the trapping industry or fur market to rebound which is showing some small signs that this may be occurring now commented Mr. Prickett. Any other type of program would strictly be a bounty type program. A lot of areas are suffering from nutria damage now and this program will address this problem and address it specifically in the areas where the nutria are actually damaging habitat. This is strictly aimed at the marsh and wetland habitats and for this reason the Governor's Office of Coastal Restoration has endorsed the program and are willing to fund it at the \$50,000 level this year advised Mr. Prickett. If the program works, is fully implemented and is doing some good the department will probably recommend that the program be expanded. Mr. Pol asked about the big landowners like Miami, Louisiana Land and Chevron, have they agreed to this. Mr. Prickett answered yes, the landowners are very much in support of this program because they are wanting to address the nutria damage problem and the marsh is worth money to them in the form of trapping revenue, hunting leases, etc. Anything that they can do to keep their marsh from deteriorating is very much to their advantage and they fully support the program pointed out Mr. Prickett.

Chairman Jenkins called for more questions. There being none he asked Mr. Prickett to read the "Therefore Be It Resolved" portion of the resolution. Mr. Prickett concurred. Chairman Jenkins

called for a motion on the resolution. A motion was made by Mr. Pol to accept the resolution Nutria Cost Share Program. The motion was seconded by Captain Vujnovich and passed unanimously.

(The full text of the resolution
is made a part of the record)

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
NUTRIA COST SHARE PROGRAM

WHEREAS, reduced trapping efforts because of low fur prices has resulted in this overabundance of nutria; and

WHEREAS, overpopulation of nutria in certain areas of Louisiana are contributing to the loss of Louisiana' valuable wetlands; and

WHEREAS, Act 552 enacted by the 1990 Regular Session of the Legislature provide for a cash incentive for nutria taken from damaged areas; and

WHEREAS, this same legislation authorizes the Secretary of the Department of Wildlife and Fisheries to promulgate rules for the administration of the nutria cost share program in accordance with the Administrative Procedures Act; and now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby give notice of intent to establish rules for the Nutria Cost Share Program.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate these rules, including but not limited to the filing of the Fiscal and Economical Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

A. Kell McInnis, III
Acting Secretary

James H. Jenkins, Jr.
Chairman

Mr. Hugh Bateman presented the **1991-92 Resident Game Hunting Seasons for Ratification**. Mr. Bateman advised that the original notice of intent on resident game hunting seasons for 1991-92 was presented to the Commission on March 7th, 1991, and the rule is now ready to be ratified. Since March 7th various comments have been received regarding changes to the original recommendations. Corrections and omissions that were needed have been incorporated

into the original documents. At the last Commission meeting on June 6th these corrections to the original notice were presented along with some changes that were recommended by the staff. Most of the important changes were related to the extensive and lengthy flooding that has affected most of the state. Commissioner Pol, at the last meeting, suggested that the staff go back and meet with the Commission's Regulations Committee prior to this meeting and provide some direction on the changes that were brought before the Commission at the June meeting. This has been done and a meeting was held on July 2nd with approved changes provided to the Commission by fax or mail the next day. Mr. Bateman proceeded to give the following summary of recommended changes for resident game.

Deer

Area 1 Move that portion of Avoyelles Parish between LA Hwy. 1 and the Red River into Area 1. Previously in Area 6. (This was requested by the local District Supervisor and was approved by the Hunting Regulations Committee)

Area 2 Shorten the last segment (with or without dogs by 4 days. Season will close on Jan. 1 instead of Jan. 5. Would be composed of 61 days instead of 65 days as in original notice.

Rapides Parish: That portion lying south of LA 112 between I-49 and U.S. 165 has been removed from still hunting only zone. This area will now have the same season on Area 2 and include dog hunting opportunity.

Turkey

Area C shall be closed during the 1992 turkey season because of flooding. This action will encompass some private lands as well as the Russell Sage and Ouachita WMAs. (This was a request from the District II Supervisor in Monroe)

WMAs

Big Lake, Boeuf and Saline - Either-sex hunting eliminated including archery and muzzleloader. Buck segment reduced to three days (Nov. 29-Dec. 1) and will require self-clearing permit.

Georgia Pacific, Ouachita and Russell Sage - Either-sex season reduced from 3 to 2 days and a similar reduction in bucks only hunting. (In response to the very severe flooding, displacement of animals, etc. the District Supervisor thought needed to be taken into consideration)

Thistlewaite - Implementation of an experimental lottery hunt to control hunter numbers. (Applications for the hunt should be available by July 15 and will be in all the District Offices/A \$5.00 application fee for processing the application

is being requested)

Bayou Macon (new acquisition) - established hunting seasons.

Deer: Archery - Same as outside

Gun: Nov. 29-Dec. 1 - bucks only

Muzzleloader: Dec. 2-4 - bucks only

Dec. 5-6 - either-sex

Small Game: Same as outside

Mr. Bateman advised that these were the major items that were discussed with the Hunting Regulations Committee on July 2 and are now incorporated in the final rule. Continuing Mr. Bateman went through the Summary of the 1991-92 Resident Game Hunting Season Dates and Bag Limits. Chairman Jenkins asked Mr. Bateman if these dates that he just gave incorporated the summary of recommended changes. Mr. Bateman answered that was correct. Chairman Jenkins suggested that they discuss first the summary of recommended changes one at a time.

Chairman Jenkins called for discussion from the Commission and audience on the following changes.

Deer - Area I - Rapides Parish - There were no comments on this change.

Deer - Area II - Shorten the last segment - Comments were received from audience and Commission.

Mr. Charles Womack addressed the Commission and stated that he just wanted to know what the thinking was behind cutting that four days. Mr. Bateman explained that if he is not mistaken he thinks it is essentially the same as it was last year and believes Area 2 closed on January 1 of last year. Mr. Jones stated that the thinking on this was the fact that through a number of people's hard work, including Mr. Womack, on the conflict resolution committee concerning deer dog and still hunting these days were added hoping that through the committee's recommendations that they have the opportunity that the legislature pass the deer trespass law which came from the conflict resolution, which it did not, so this was the original staff's recommendation. Mr Womack asked Mr. Jones if what he is saying is that this was something to promote the ideas that would come out of the advisory committee and since that did not come into being the four days were cut back out, was this Mr. Jones thinking. Mr. Jones stated that this may not be the exact thinking. This was the original Game's Division request and the other four days were an extension of the normal traditional season in that area. It has not changed it has just remained the same. Mr. Womack stated that his question had nothing to do with the past, it was why it was cut back. Mr. Jones commented that the intent was to hope that through this great conflict resolution committee that the legislation pass. There was a lot of work on both the part of the still hunters, dog hunters, landowners, department, Joe McPherson and many more trying to resolve this problem so that both user groups as they are traditionally known

in the State of Louisiana could be preserved. There is a major conflict out there which was the reason the committee was formed. Mr. Jones stated that he hopes next year they can go on and make this work so that the fact can be insured that dog hunting is not eliminated and insure the fact that the landowner will have the opportunity to prosecute people that maliciously and intentionally infringe on his privacy and his land.

Chairman Jenkins commented that he thinks it is a shame that when the people who are actually involved in this conflict can get together and spend as much time as they did and actually work out a solution to the problem that some person at the capitol, just in ten minutes, can wipe out a year's work not paying any attention to the people who were involved in the process. Hopefully next year they will listen to the people who are involved in the process.

Mr. Womack commented that he believes he is now being punished because the four days were cut from the letter of intent and it was not cut from anyone else and this bothers him.

Deer - Rapides Parish - Portion removed - Comments were received from the Commission and audience.

Mr. Jones stated that as he understood through the Hunting Rules Committee meeting that this issue was not resolved. Mr. Bateman advised that was correct. Mr. Jones commented that this did not come from the committee as a recommended change. Chairman Jenkins stated that he listened very closely and Mr. Bateman said that the first two items were approved by the committee but failed to say it on the second one. Mr. Bateman explained that the committee very carefully, and rightly so, withheld a commitment on this particular item pending some other information that was suppose to have been available. Mr. Jones stated that it is his understanding that this is not the request of the District Supervisor. Mr. Bateman answered that was correct. Mr. Jones advised that he would like to uphold what the District Supervisor would like to do and would eliminate this as a suggested change for the hunting regulations.

Acting Secretary McInnis commented that this was an area that was very closely looked at and was discussed in the Hunting Regulations Committee and before the Commission on a number of occasions. There is no clear cut one yes or no answer on this particular issue. It is one issue that representatives from the area have come to the department and expressed some concern about. People from both sides have expressed their interest. Last year Senator McPherson came before the Commission and made what he thought would be a resolution to the situation. A larger area was taken out of the original proposal which included the area above 112, below Alexandria between the two highways. This portion still remains in the still hunting only arena. The area is a watershed for Lake Cocodrie and in the southern part of the parish is something that should be taken into consideration as an opportunity for the dog

hunting in that area. In meeting with representatives from that area, including Senator McPherson and Representative Dewitt, this is something that they felt strongly about and felt that their constituencies contacted them because of the efforts that had been made to the Commission previously which did not receive favorable attention advised Acting Secretary McInnis. Senator McPherson made a good presentation to the Commission about what he wanted, what he suggested and why. Acting Secretary urged the Commission to take this into consideration as the local people do have a tendency to talk to their representatives more than they talk to the department and Commission.

Mr. Morris Jones, Glenmore, Louisiana, South Rapides Parish, addressed the Commission. Mr. Jones stated that last year somewhere between thirty and forty landowners, in that area, wrote to the department and asked them to survey this area and recommend it for still hunting. This was done, it was brought before the Commission and it was voted to be a still hunting area. Since this has been a still hunting area there are five hunting clubs there with most of the private property leased. Mr. Jones asked where are they going to run their dogs as there is no place for them to run but yet they still want to run them. The hunting clubs have got around fourteen thousand acres, just where Mr. Jones lives. Dogs cannot run on a five thousand acre lease, you have got to have something like twenty thousand acres to contain a dog running a deer advised Mr. Jones and would appreciate the Commission thinking about this before they make their decision.

Acting Secretary McInnis asked Mr. Jones if he had any idea how many acres are involved in this area. Mr. Jones answered, no sir, not really. Mr. Bateman stated about fifty-sixty thousand. Acting Secretary McInnis asked how many acres did Mr. Jones indicate were leased. Mr. Jones stated something like fourteen thousand that he knows of, plus the privately owned land also. Mr. Jones stated he would like to know the reason for changing this back. Mr. Pol commented that he thinks the reason is, Kell made it clear, that Dewitt and McPherson put some political pressure. Acting Secretary McInnis stated that was not true. Mr. Pol commented it sounded like that is what you are say. Mr. Jones commented that was what it sounds like to him. Acting Secretary McInnis stated that there was an employee from the office who presented to us, through the District Manager, information that the landowners in that area wanted to make the change. The information that has been presented to us is not in agreement at this point and there are some who would like to have the option to hunt with or without dogs. What Mr. Jones is saying right now is that thirty six thousand acres is not leased, fourteen thousand acres are, and of those Mr. Jones thinks the smaller percentage needs to take control of the whole area stated Acting Secretary McInnis. This is the Commission's choice. Mr. Jones advised that he does not know what the real acreage is. Acting Secretary McInnis stated that the information that was presented was that the major landowners did not want with the still hunting only. Mr. Pol asked if this was the item where letters were suppose to be received from the major landowners and

have they being received. Acting Secretary McInnis stated that was correct but have not gotten them. Mr. Pol asked why not, they were asked for at the committee meeting. Acting Secretary McInnis advised that he asked for them and Mr. Dewitt indicated that he would have them faxed and in the last five days of the session he neglected to check back with Dewitt. Mr. Pol commented that they had received information that the major landowners did not agree with this and all he wants to see are the letters. Chairman Jenkins asked if the Hunting Regulations Committee had a recommendation on this item. Mr. Bateman stated that they held a decision in abeyance until today to see what developed in the way of public discussion and further study of this item. Mr. Jones advised that at the committee meeting they did not suggest a recommended change, nothing was suggested. After further discussion it was further determined that the letters were never received or if they had been nobody could find them. Chairman Jenkins called for further discussion.

Mr. Jones made a motion that this not be a recommended change. Mr. Jones stated that he hated that Senator McPherson was in strong support of this because he has been a friend of the department and is a friend of the department but in his mind he does not see that this change needs to be made. Mr. Pol seconded the motion. Mr. Bateman stated that he wanted to point out that he agreed with what Mr. Jones said, that Senator McPherson has tried to help the department and it was his load to carry the dog bills that were in the legislature which was not a easy task to undertake. In fairness to Senator McPherson one of his main concerns was not perhaps the specific issue of whether you use dogs or not, but perhaps the way the department went about actually instituting this change two years ago to a still hunting area. The department has made note of this and Mr. Bateman has stressed to his staff that when changes are made from a traditional area that was one way that they need to be very careful and that public support is needed. Chairman Jenkins asked Mr. Bateman didn't the department have request from the landowners that year to make the change. Mr. Bateman answered, that they did and he guesses this is what participated this most recent letter question. Acting Secretary McInnis and Mr. Bateman were told that there were letters in hand that withdrew major landowners supports for a still hunting area. Chairman Jenkins stated that they had the support when they did this before and believes that they acted in good faith. They may or may not have the support to do opposite right now but do not really know and unfortunately the Commission has to act on this right now commented Chairman Jenkins. Chairman Jenkins asked if anybody else wanted to talk on the subject. Acting Secretary McInnis stated that he was a little concerned and the only reason Senator McPherson was not here today was that Acting Secretary McInnis thought they had this information in hand. This is why Senator McPherson is not here before the Commission playing his own case. Acting Secretary McInnis impression was that the letters had been faxed and he assumed that they were in the office and did not ask physically for them until this morning. Acting Secretary stated that it is his understanding that if these letters were in

fact accurate it was something that the Commission would give due consideration. Chairman Jenkins advised that they could skip this right now if Acting Secretary McInnis wanted someone to look for the letters. Acting Secretary McInnis stated that they have left messages everywhere they could and if these letters are not available he certainly would withdrawn any support to this but believes they are. Mr. Bateman stated that they have heard comments over the last few days that the letters were not in fact present. Chairman Jenkins commented that he has heard the same thing and called for a vote on the motion by Mr. Jones. The motion passed unanimously.

Turkey - Area C Closed - Comments were received from the Commission.

Mr. Jones commented that there might be some significant hatch problems throughout the state this year because of the rainfall and the flooding conditions and this may be the first turn of some restoration type approaches that the Game Division might suggest. There is a need to manage for the betterment of the wild turkey and Mr. Jones thinks that aggressive steps have been taken in doing so. The closing of Area C is one of them. Mr. Bateman informed the Commission that Area C was proposed for enlargement this year for the first year of hunting and this was another reason for not opening the area because there was a whole new contingent of acres that had been stocked not to long ago that endured the flooding.

Wildlife Management Areas - Big Lake, Boeuf and Saline - Comments were received from the Commission and audience.

Mr. Jones stated that he has some concerns about this in that he feels like they are going away from the best management of the resource and continue in this situation to move away from the biology of this issue. Mr. Jones stated that he found a study from outside biologists as of January 1991 that stated the number one recommendation was do not attempt to increase the deer population by eliminating or curtailing either-sex hunting. Mr. Pol asked Mr. Jones who made the study. Mr. Jones answered that the study was done by Lowell Halls and Daniel Laye from Texas. Mr. Bateman advised that they both reside in Texas at the present time and between them they probably have sixty years of field experience. Mr. Pol asked who commissioned them to make the study. Mr. Bateman advised that they did at the request of the people who were suggesting that there were no deer on the area, etc. These two gentlemen are both retired and do this on a consulting basis. The department had them look at Big Lake and Boeuf and had them determine if any, what kind of deer problems there were. Mr. Pol asked if the department commissioned the study, and it is the department's recommendation, why is it recommended now that it be done differently. Mr. Bateman stated that a lot of the things done *are* is not pure biology and you are either tricked or mystified to believe that every recommendation that is ever made from the staff is purely biological, it is not. Sometimes you have to take into consideration people problems, public relations problems. You need

to take these kinds of problems into consideration when you are dealing with people as well as wildlife issues. Mr. Bateman advised that they did not like the public bashing that the biological staff has taken for the last three months, both in the legislature and in public, about what the department is doing on these areas. Our recommendation was an attempt to solve the public relations problem and there are no intentions of getting away from the proper way to manage deer which is either-sex hunting when you have hunting commented Mr. Bateman. Mr. Bateman pointed out that the Deer Advisory Committee made some substantial recommendations to the board that were not based on biology. They changed deer seasons based on the true user groups that were trying to resolve their problems so therefore we ended up with about eight or nine days in some cases more hunting than the Game Division staff had recommended but did not object to this because it moved us in a direction of solving this never ending squabble between the people that hunt stated Mr. Bateman. If a decision can be made that resolves problems and does not in the long term undo the efforts to manage resources Mr. Bateman submits to them that this is the correct decision to make at times. It is felt like the recommendation is probably not what the department would have made were it not for all the public concern and the flooding that occurred on these areas this past spring. The original recommendation would have been made that was given in March which was to reduce the either-sex hunting from two days to one day. The recommendation in March was made before much of the public comments and criticism started to occur and what you find yourself with is the recommendation that you have in front of you today stated Mr. Bateman. This is a one year attempt to resolve the public relations problems then get back into the deer management business in 1992-93. Acting Secretary McInnis added that the report that Mr. Jones referred to was done in January which was prior to the weather condition changes and the flooding. Mr. Jones suggested that they go back to the original recommendation which was that the number of either-sex days be reduced from two to one which will reduce the kill at least by forty percent and will address the social issue of needing more deer. It will still fall within the guidelines that the biology that you need to have either-sex hunting days if you are going to open deer hunting season. What needs to be done is to do a better job of educating the local area that this deer herd is not in distress as they may think, local things like thinning out certain areas of timber to increase the carrying capacity. Mr. Bateman stated that if there is a one day either-sex hunt on those three areas they would also request that the self-clearing permit be done away with and go to a check-in and check-out system to count every man and every deer. Mr. Jones stated that he agreed. Chairman Jenkins asked if anyone from the audience wanted to address this.

Mr. Richard Daigre, Alexandria, LA, Attorney representing the Louisiana Wildlife Management Association addressed the Commission. Mr. Daigre stated that he was not sure of what to say. They have made several trips to Baton Rouge to attend meetings. There organization is somewhere in the eleven thousand or eleven thousand

three hundred members and the membership are the individuals that actually hunt on these wildlife management areas. The first time the Commission was approached the group asked them to take something away from them, to simply reduce the number of eligible days that they had to hunt on the areas because they felt through their experience that it was not carrying the population. Mr. Bateman seems to think we are on a biology bashing which is not the case all stated Mr. Daigre. There has been no biological work done in this area. It is primarily because of the financial constraints commented Mr. Daigre and he understand this. In the Saline Wildlife Management Area there were no check-out stations, yet Mr. Bateman is quoted in the Louisiana Sportsman saying it was the finest deer hunting take in the Saline area in its history which is not the case. He is also quoted in the same article as stating there were no check-out stations and the material and data was incomplete. Mr. Daigre pointed out that the data of the users is very complete, they logged hard hours hunting animals and say they are not there and Mr. Daigre is not really sure the reason for the conflict. They are simply asking to have something taken away and not give them anything. It is known for a fact that the browse studies for this year were not conducted because of the flooding, yet staff is making recommendations such as continuing the deer season which was the first recommendation and at the committee meeting on July 2nd the recommendation was to close it for the doe days and make the reduction to two or three buck days and today there is another recommendation. The group is asking the Commission and department to do their job which is to manage wildlife and they will assist in any way. Concluding, Mr. Daigre asked the Commission and department to reconsider the Louisiana Wildlife Management Association's original request, which has been modified, which was to close the three management areas for antlerless deer taking until a determination can be made as to what is there, a formal management plan for the area be designed and control the number of hunters that use it. Other alternatives can be used to accomplish the Association's goals but chose not to use them unless the Commission and department make them concluded Mr. Daigre.

Mr. Randy Lanctot, Louisiana Wildlife Federation, addressed the Commission. Mr. Lanctot commented that on this issue there is some concern to the Federation that one particular user group may come before the Commission and threaten lawsuits and generate political pressure through the legislature to get a particular point of view across to the point where the Commission is actually making decisions against its best judgment which is not the best way to accomplish things. These wildlife management areas are owned or held in trust by the department for the benefit of all the people in the state and not just those people that live adjacent to them or use them most of the time. The Federation is certainly concerned over the status of the deer population and other wildlife resources on these areas, however, they don't think that the department ought to bow to exorbitant political pressure in making decisions against its best judgment and the information it has from its trained biologists. However, the Federation also has some

problems with the department and perhaps with the Commission on the way some of the wildlife management areas are managed or more accurately not managed. The absence of management plans that involve the public and their development, the absence of better of record keeping, check-in, check-out systems, etc. are all of concern to the Federation. Mr. Lanctot advised that he in general agrees with Mr. Jones' statements and what he has to say on this particular issue but would suggest that in general this be supported perhaps with the exception of using one wildlife management area as an experiment to not hold a doe season this year and measure the results of this but not burden the rest of the citizens of the state that use the wildlife management areas who like to go and hunt a deer and harvest a doe. Concluding, Mr. Lanctot stated that in general they support the recommendations of the biologists to reduce the doe season but not to eliminate it and to management these wildlife management areas on behalf of all the citizens of the state that would enjoy their use.

Chairman Jenkins asked Mr. Lanctot if he would support going from two to one. Mr. Lanctot state yes, with a possible consideration of taking one wildlife management area and doing an experiment and maybe no deer hunting at all, which is awful extreme, sometimes things like this need to be done to prove a point even though you would not want to apply this kind of management on a larger scale. Mr. Pol asked Mr. Lanctot how many members did the Wildlife Federation have. Mr. Lanctot answered twelve thousand. Chairman Jenkins asked Mr. Puckett if he had any advice for them. Acting Secretary McInnis advised that for the Commission's benefit there were two concurrent resolutions passed, House and Senate, through the legislative session which indicated that this was direction to the department originally, and subsequently to the Commission, to suspend the seasons on these areas and also Sicily Island management area. This does not suspend the law, it directs the Commission and/or department to suspend the season in those areas and Acting Secretary McInnis has some concern as to the effectiveness of the wording of the resolutions and asked Mr. Puckett to please advise on this. Mr. Puckett advised that these resolutions basically directs the department or Commission to take certain actions with regard to the season. This is continuing to be researched and Mr. Puckett's initial impression is that the legislature does not have the authority to direct an executive branch agency to take a certain action because of certain constitutional problems. Acting Secretary McInnis asked what the procedure would be to test this. Mr. Puckett stated that there would be a number of procedures; one procedure would be to ignore it and proceed. Chairman Jenkins stated that his limited experience with this is that this is not the first time, it has happened a number of times. Mr. Puckett commented that it is not a statutory mandate.

Chairman Jenkins asked if anyone else had any comments. There being none he asked if Mr. Jones wanted to make a motion. Mr. Jones made the motion that they go back to the original recommendation for these areas, reduce the number of either-sex

hunting days in the wildlife management area from two to one. Chairman Jenkins asked Mr. Bateman if he wanted to add anything to this. Mr. Bateman answered no, but believes they have the dates ready to change if they vote to approve the change which would be included in the final recommendations. Mr. Morrison advised that if they go this route Mr. Reggie Wycoff, District Supervisor, District IV, would like to take the bucks only season and reduce it from the original recommendation of thirteen days to nine days. By doing this it will effect some changes on Red River and Three Rivers to reflect the same season so that the season dates are uniform. Giving an example Mr. Morrison explained that the Big Lake Deer Season would be November 29, either-sex, daily permit, check-in/check-out, bucks only would be November 30 through December 1, reopen the Saturday after Christmas on December 28 and run through January 5 which would be a nine day bucks only; Bouef would be November 29, either-sex, daily permit, November 30 through December 1 and December 21 through January 1 bucks only. Other changes that would be reflected would be Red River would be November 29, either-sex, daily permit, November 30 through December 1 and December 28 through January 5 bucks only. Saline would have a Youth Hunt which would be November 16-17 for either-sex, deer season for modern firearms would be November 29 either-sex, November 30 through December 1 bucks only and December 28 through January 5 bucks only. Sicily Island would be November 29 for either-sex, bucks only would be November 30 through December 1 and December 21 through January 1 would be identical to the Boeuf season. Three Rivers would be identical to Red River, Saline and all the areas with November 29 either-sex, November 30 through December 1 and December 28 through January 5 bucks only. These dates incorporate what is being requested, going back to a one day of either-sex. The above dates were incorporated into Mr. Jones' motion. The motion was seconded by Mr. Pol and passed unanimously.

WMAs - Georgia Pacific, Ouachita and Russell Sage. No comments from the Commission or audience.

WMAs - Thistlethwaite - Lottery System. Comments were received from the Commission.

Mr. Jones commented that this is new and something that the department has not done, to his knowledge, and will take a lot of work.

WMAs - Bayou Macon (new acquisition). No comments were received from the Commission or audience.

Chairman Jenkins suggested that a motion be made to accept the dates discussed with the recommended changes that were voted on. Mr. Jones made a motion that the Commission adopt the resolution on the hunting seasons and the dates discussed with the recommended changes.

(The full text of the resolution
is made a part of the record)

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
July 9, 1991

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES
COMMISSION AT ITS REGULAR MEETING HELD AT BATON ROUGE, LOUISIANA,
JULY 9, 1991.

WHEREAS, it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting season for resident game birds and quadrupeds, and

WHEREAS, authority to establish season, bag limits, possession limits and other rules and regulations for hunting, taking and possession of any species of wild game birds or quadrupeds is vested in the Commission by R.S. 56:115, and

WHEREAS, this action will provide for the protection and conservation of these natural resources and allow for recreational opportunities for sport hunting on both public and private lands, and

WHEREAS, the Commission and Department staff have jointly reviewed and considered all available biological information and requests from sportsmen of the state, now

THEREFORE BE IT RESOLVED, that the attached rules and regulations, season, dates, and bag limits affecting sport hunting or resident game species are hereby ratified by the Louisiana Wildlife and Fisheries Commission, and

BE IT FURTHER RESOLVED, the Secretary is directed to follow all applicable statutes and administrative procedures where setting the opening and closing dates and that the Commission be notified of any action.

James H. Jenkins, Jr. Chairman
LA Wildlife & Fisheries Comm.

A. Kell McInnis III
Acting Secretary, LA Dept. of
Wildlife and Fisheries

(The full text of the rule is
made a part of the record)

RULE
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

In accordance with the Notice of Intent published in the March 1991 Louisiana Register, the Louisiana Wildlife and Fisheries Commission, at its regular monthly meeting in July hereby ratifies regulations on opening hunting season dates, bag limit, methods of taking, and rules and regulations on Department operated wildlife management areas for the period of October 1, 1991-May 15, 1992. Authority to establish regulations is vested in the Commission by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950.

SUMMARY OF 1991-92 RESIDENT GAME HUNTING SEASON
DATES AND BAG LIMITS

Quail:	Nov. 28-Feb. 29 - Daily Bag Limit 10, Possession 20
Pheasant:	Nov. 28-Dec. 8 (Cock Pheasant Only) - Daily Bag Limit 2, Possession 4
Squirrel:	Oct. 5-Jan. 26 - Daily Bag Limit 8, Possession 16
Rabbit:	Oct. 5-Feb. 29 - Daily Bag Limit 8, Possession 16
Deer:	Dates Vary - See Schedule Below - Bag Limit: One per day, 6 per season
Archery:	Oct. 1-Jan. 20
Muzzleloader:	Dec. 2-6

<u>Area 1 - 59 Days</u>	<u>Days</u>
Nov. 23-Dec. 1	9 (still hunt only)
Dec. 2-6	5 (still hunt, muzzleloader only)
Dec. 7-Jan. 2	27 (with or without dogs)
Jan. 3-20	<u>18</u> (still hunt only)
	59
<u>Area 2 - 61 days</u>	<u>Days</u>
Nov. 2-Dec. 1	30 (still hunt only)
Dec. 2-6	5 (still hunt, muzzleloader only)

Dec. 7-Jan. 1 26 (with or without dogs)

61

Area 3 - 61 days Days

Nov. 2-Dec. 1 30 (still hunt only)

Dec. 2-6 5 (still hunt, muzzleloader only)

Dec. 7-Jan. 1 26 (still hunt only)

61

Area 4 - 44 days Days

Nov. 23-Dec. 1 9 (still hunt only)

Dec. 2-6 5 (still hunt, muzzleloader only)

Dec. 7-Jan. 5 30 (still hunt only)

44

Area 5 - 14 days Days

Nov. 23-Dec. 1 9 (still hunt only)

Dec. 2-6 5 (still hunt, muzzleloader only)

14

Area 6 - 58 days (NEW AREA)

Nov. 23-Dec. 1 9 (still hunt only)

Dec. 2-6 5 (still hunt, muzzleloader only)

Dec. 7-Jan. 19 44 (with or without dogs)

58

Turkey - Season Dates Vary - See Schedule Below - Limit: One per day, 3 per season

Area A Days

March 28-April 26 30

Area B

March 21-April 26 36

Area C - CLOSED

Area D

April 11 -April 26

16

For those interested, a more detailed copy of the rules and regulations is available upon request to Hugh A. Bateman, Administrator, Game Division, Box 98000, Baton Rouge, LA 70898-9000.

CITATION: None - Changes annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 17: (1991).

James H. Jenkins, Jr.
Chairman

Mr. Don Dubac, St. Tammany Parish, advised that he would like to make a statement pertaining to the deer hunting season. Mr. Dubac advised that at the last meeting he represented seven hunting clubs and make a formal request to include an area of St. Tammany Parish into Area 6 that was originally scheduled to be in Area 1. Since there were no recommended changes on this Mr. Dubac stated that he assumes that this request was denied and would like to know what the reason was. Mr. Bateman advised that this was discussed, at length, at the July 2nd Regulations Committee meeting and the District Supervisor from District VII recommended that this change not be made because there were people on both sides of the issues. The committee stuck with this and this is the reason stated Mr. Bateman. Mr. Dubac commented that he would like to find out who the opposition was because as was included in the packet there were letters of no objection from the governing body (police jury), and St. Tammany Parish Sheriff's Office and also discussion with some enforcement people where there were no problems as far as conflicts. Mr. Dubac pointed out that he had heard Mr. Bateman state a little earlier that he felt like the right decision was made if a particular user group could be satisfied and stay within the bounds of biology and in this case Mr. Dubac does not really understand why this would not be the right case for that particular area to be included in Area 6. Mr. Bateman informed Mr. Dubac that a lot of times the public submits a request for something to be done and the perception is that maybe we don't pay any attention to it or we don't follow-up and try to find out what is really going on out there away from the Baton Rouge Office. In this particular case we did advised Mr. Bateman and information from the enforcement people indicated that they were diametrically opposed to it. Mr. Bateman pointed out that if you dig into issues you will find out there are almost as many people in those same organizations that will tell you they did something because one guy asked them to which leaves the department and staff always in a quandary as to what kind of decision you make in these thing. It was chosen to leave that decision to an advisory committee who worked for four or five months with representatives on both sides

of the issue and they worked out the boundaries for the area. The District Supervisor felt that it was his responsibility to stick with this. Mr. Don Dubac commented that he knows the Commission does not enjoy legislators getting involved in Wildlife and Fisheries issues and he certainly is not a believer in this himself but think you can probably see some of the frustration that moves people to turn to their legislators, particular in this case. This is not going to affect, to their knowledge, anyone pointed out Mr. Dubac and they have got letters backing what the contention was, have no conflicts, if there were why didn't the people respond. The sixty thousand acres are properly posted, fenced and there is no open hunting, strictly hunting clubs who prefer to deer hunt with dogs. The areas are more in continuance with what you find in some of the other areas that are included in Area 6 and are very difficult to still hunt. It is felt that dog hunting in these areas would be the proper way to go. Deer hunters and hunters will be lost over this issue and there are people in those areas that will not renew those leases and not rejoin the hunting clubs. Success ratio of still hunting is very small. Some of these people will be lost to Mississippi. Mr. Dubac pointed out that there is a big deer hunting show that is coming to New Orleans this weekend and he spoke with the promoter of the show. This is the first time that they (Texas Trophy Hunters Association) have been in Louisiana and was bringing it to Louisiana because the research that was found in Texas was that the largest visitors and non-resident hunters were from the State of Louisiana and they were going to get more of them. With these things happening more of the Louisiana hunters are going to go to Texas, Mississippi and Alabama which they are doing now stated Mr. Dubac. Chairman Jenkins asked why do they go to Texas. Mr. Dubac answered that the hunting is better and for the amount of money they would spend on a lease, their success ratio on still hunting on some of the area close to home are not worth it. ure

Mr. Warren King addressed the Commission. Mr. King served on the Deer Advisory Committee. Mr. King feels like the Commission has a problem with the legislator or the legislator has a problem with the Commission. This came through loud and strong during the session and a lot of Wildlife Commission bashing was done at the hearings. This concerns Mr. King. Social issues are causing a problem, still hunting/dog hunting question, etc. These conflicts will hurt hunting and fishing in Louisiana in the future if they are not resolved. The legislature needs to be enlightened as to what the needs and requirements are to adequately run the state because there is not any simple solution. Looking at the demographics there are a lot more people that don't hunt than do hunt and something that can promote it positively within the stated needs to be devised. Mr. King thinks Mr. Wade Byrd did a good job on the Deer Advisory Committee and was glad to see the Commission go along with a very reasonable attitude on the hunting seasons this year and thinks this is a good foot forward. There is room to do some more in the future concluded Mr. King. Chairman Jenkins stated that he agreed with Mr. King on a lot of comments that he made, and there is a problem. An educational process is needed. ure

The Commission and department have got to do the best they can and this is what they are going to keep on going. Mr. Jones stated that he agrees and an educational process is needed to go out and publicly sell the Wildlife and Fisheries.

Mr. George Patterson, from Area 1, addressed the Commission. Mr. Patterson is a dog hunter and has been all his life. Mr. Patterson's family has been in this tradition for years and lease the Dixie Ranch Wildlife Management Area which is a little over thirteen thousand acres. There are five different clubs that surround the Dixie Ranch Wildlife Management Area and are all dog hunters. There is one still hunting club approximately twenty-two miles north called Money Hill Hunting Club. There are no problems and the dog hunters in the area manage their dogs. For one full year they tried still hunting in the area and lost all of their members; went back to dog hunting and leases built back up. Managing dogs is a good program. Mr. Patterson stated that he cannot see why they were put in an area where there was only twenty-seven days compared to Area 6 which has forty four days, with or without dogs.

The Recommended Season Dates for the 1991-92 Dove, Snipe Woodcock, Rails and Gallinules were presented by Mr. Dave Morrison. Mr. Morrison advised that the Game Division has for Commission consideration the tentative dates for migratory birds, excluding waterfowl. Mr. Bateman just recently returned from Washington, D.C. where the Fish and Wildlife Service put forth the framework. The framework, bag limits and shooting hours are basically unchanged for snipe, rails and gallinules. This year in the regulatory process there was a major change in the framework with regard to woodcock. Typically September 1 through mid to late February has been the framework. This year the Fish and Wildlife Service has moved the end of the framework to January 31st. This change was made over the objections of Louisiana, Tennessee, the Mississippi Flyway Council, and the Mississippi TEC Session. Last year the Fish and Wildlife Service had asked that the flyway councils get together and make recommendations on this particular issue. The issue that went before them and the recommendation made by the flyway council was February 9th, however, the Fish and Wildlife Service chose not to accept that and made the end of the framework as January 31st. Mr. Morrison stated that the reason he has pointed this out is because this change is going to be objectional to many Louisiana woodcock hunters because it is shortening their season which a lot of people believe is some of the prime time for woodcock hunting. The dates for woodcock being recommended is November 28th through January 31st with a bag limit of five. The framework for the dove is basically unchanged from last year and the staff recommends shooting hours to be the same as last year with the opening weekends being noon to sunset and all the other times being one-half hour before sunrise to sunset. In setting the dove season, the Fish and Wildlife give two options. One option would be a seventy day season, 12 bird limit, the other would be a sixty day season, fifteen bird option. It is the Commission's decision as to what option they would prefer to go

with pointed out Mr. Morrison. The following are the recommended dates presented by Mr. Morrison.

SEASON RECOMMENDATIONS (1991-92)

<u>SPECIES</u>	<u>DATES</u>	<u>DAYS</u>	<u>BAG LIMIT</u>
Rails	Nov. 16-Jan. 20	66	15
Gallinules	Nov. 16-Jan. 20	66	15
Snipe	Nov. 9-Feb. 23	107	8
Woodcock	Nov. 28-Jan. 31	65	5

Shooting hours for rails, gallinules, snipe and woodcock shall be 1/2 hour before sunrise to sunset.

Doves:

Option A: (staff recommendation)

Sept. 7-Sept. 15	9	12
Oct. 19-Nov. 17	30	12
Dec. 7-Jan. 6	<u>31</u>	12
TOTAL	70	

Option B:

Sept. 7-Sept. 15	9	15
Oct. 19-Nov. 10	23	15
Dec. 7-Jan. 3	<u>28</u>	15
TOTAL	60	

Shooting hours: 1/2 hour before sunrise to sunset EXCEPT on the opening weekend of each split (Sept. 7-8, Oct. 19-20, and Dec. 7-8) when shooting hours will be 12:00 noon to sunset.

Chairman Jenkins called for comments from the Commission. Mr. Pol stated that the only thing that worries him is that they are doing the same thing with the rails and gallinules. There is going to be a split season. Duck season supposedly opens on the sixteenth of November and the season has to end by January 20th with hunting for only thirty days. This means that there will be splits and in the meantime everybody will be hunting ducks when they should be resting and coming in for the second split. There will be hunting straight through. Mr. Morrison advised, if he was not mistaken, there is a latitude to split the rail and gallinule season. However, because the state is divided into an east and west zone, regardless of how you split that zone you do not have that luxury with the rails and gallinules. There is no zone for rails and gallinules. The season can be split but only so that you would open it with the second split of either the east or west zone. Mr. Pol stated that the reason why it was moved from the recommended date of the 8th to the 16th was because they did not want people in the marsh hunting (shooting guns, etc.) before the duck season

opened. Mr. Pol stated that he was only bringing this out because he thinks they are defeating their purpose and if this is the recommendation of the committee he will go along with it but there will be a big mess again because you are going to have people in the marsh hunting gallinules and killing ducks. Mr. Jones commented that Mr. Pol's thought process is that the major impact of the waterfowl and migratory game bird hunting is duck and goose hunting, especially duck hunting and agrees in the thought process. Mr. Pol stated that it is the ducks that are in trouble, not the rails and gallinules. Mr. Morrison stated that the rail and gallinule season can be split, but because historically there is a east and west zone for the duck season, these seasons cannot be split the same way so there will be some time that these seasons will be opened that prior to the duck season neither east or west zone reopening. Mr. Jones asked if Mr. Morrison was saying that you cannot zone the rail and gallinule seasons by statute. Mr. Morrison stated you cannot zone rails and gallinules, you can split the season but somewhere down the road the seasons will be opened preceding a duck season. Mr. Bateman pointed out that a state has the right to be more restrictive within the federal framework and advised that the department will look at the Federal Register and see what it says about splitting the rail and gallinule season. There is the possibility that the rail and gallinule seasons can be closed in between the splits of the waterfowl season. The department has never had to considered this before and were not even prepared for it stated Mr. Bateman.

Mr. Morrison pointed out that the other option was the dove season. Chairman Jenkins called for comments on the dove season. Mr. Pol stated that for a long time they have gone with the seventy days and twelve birds. Most everybody that Mr. Pol has talked with would like to have the sixty days and fifteen birds and according to some federal people the doves are starting to get into trouble also. Mr. Pol made a motion that the Commission accept Option B (60 days, 15 birds) for this year. The motion was seconded by Mr. McCall and passed unanimously.

While waiting for the final proposal to be prepared and presented on the season recommendations for migratory birds, except waterfowl, Mr. Morrison stated that there has been in the past a lot of questions, misinformation, etc. concerning **Dove Baiting**, what is legal and what is not legal and advised the Commission that Dr. Jim Fowler, with the Louisiana Cooperative extension Service was attending the meeting today and was going to address this issue. Dr. Fowler has worked in conjunction with the Fish and Wildlife Service, and Soil Conservation Service and they have put together an informational handout for hunters on this advised Mr. Morrison. Dr. Fowler advised that he is representing the Cooperative Extension Service and works as a Wildlife Specialist. One of the things that they have been involved the last eight to ten years were issues relating to migratory bird hunting on agriculture lands and what constitutes baiting. The federal regulations relating to baiting are complicated, are very difficult for individuals to understand and for the most part hinge very

heavily on whether or not a practice is considered a normal agriculture practice or not. In the past Dr. Fowler has found himself in the position of being subpoenaed to Federal Court to testify as an expert witness, in some instances for the prosecution where as a county agent would be on the other side of the table testifying as an expert witness for the defendant. It was felt that it was imperative that the Cooperative Extension Service make it staff acutely aware of what really is involved in baiting regulations and what constitutes normal agriculture practices. County agents should not be giving recommendations to a farmer that is going to be in conflict with baiting regulations. The department has also been caught in the middle of this in several instances where state game agents have been involved in looking at fields, thought the fields were o.k. and then a case would be made against a hunting party. Dr. Fowler pointed out that the publication which he had just given to the Commissioners is an effort, by the Cooperative Extension Service and the U.S. Fish and Wildlife Service enforcement personnel, to develop a short, precise, handout information that will be distributed through the local County Agents offices for any farmers, landowners, or hunters who may be interested in leading what the regulations are and trying to understand the regulations. One reason for bringing this to the Commission is that there is something in the publication that is quite precise and involves the planting of wheat. In the past, many times hunters have hunted doves in September over wheat fields. A fairly bold approach was taken on this and was based primarily on research that had been conducted at LSU. The earliest date that the Cooperative Extension Service recommends planting wheat as a grain crop in Louisiana, regardless of what zone, is September 20th. This means that individuals who want to circumvent the federal regulations and prepare field and bait doves and then call them a wheat field may be, in some instances, in violation of the federal regulations. There are many considerations that have to be put into normal agriculture practices. The current 1990 Farm Bill deals with some of this with reference to set aside lands and it complicates the issue further but is not in this particular publication pointed out Dr. Fowler. This publication does try to explain what is involved in the baiting regulations and tells those individuals that are interested in trying to manage for migratory bird hunting on their farms that the people to contact to consider whether or not an operation is a normal operation for planting or harvesting operation is their local County Agent. Concluding, Dr. Fowler advised that he would be glad to answer any questions.

Chairman Jenkins asked about the portion dealing with "the grain being scattered exclusively as a result of normal agricultural planting or harvesting; there can be no ulterior motive for scattering the grain" and wanted to know how you found out what the motive is. Dr. Fowler stated that this goes back to intent and is a judgment call that a person has to make themselves. Chairman Jenkins asked about people that plant crops, such as hunting clubs that will buy the crops and leave it in the field or even knock it down. Dr. Fowler stated it is perfectly legal. If the law simply stated that it was illegal to hunt over planted crops most of the

exceptions to the rule could be eliminated pointed out Dr. Fowler. You could hunt over harvested crops, hunt over standing crops, and hunt over manipulated crops. You cannot hunt over manipulated crops for ducks and the law is not consistent between doves and ducks. In the case of doves you could plant a crop, grow it to maturity, manipulate that crop anyway you wanted and shoot doves over it but you cannot do that for ducks and this is the purpose of the publication commented Dr. Fowler. Mr. Jones stated that he finds it confusing at times and is still not sure that this publication irones it all out. This publication was out last year; this is not new information that Mr. Jones is receiving and he is still confused over the issue. Mr. Jones commented that it is o.k. to grow a crop and bait for doves as long as you bring a crop in, but it is not alright to bait for doves by planting wheat. Dr. Fowler stated that was correct. Mr. Jones stated that these contradict each other. Dr. Fowler advised that when you plant a crop for doves and grow it to maturity the federal regulations do not consider this baiting. Baiting is a deliberate distributing or scattering of grain, salt, or other material to attract doves; a wildlife planting is also an exception to the rule and is not considered a normal agriculture practice so a wildlife food plot could not be planted in September with wheat to shoot doves over. Other exceptions to the rule is the cow/calf operations which is a normal agriculture practice to get pastures ready anytime you can and a lot of time winter pastures are seeded as early as August or August 15th. The federal agents are not going to come in and make a case against somebody who does something that is a normal agriculture practice. The purpose of this publication is to make this information that is being used as available to people as possibly can be. Acting Secretary McInnis asked Dr. Fowler if he was prepared to go and testify in court that September 20th, which is the earliest it is recommended, as to whether or not that is the first day that is permissible. Dr. Fowler advised that they are prepared to go and testify in court that this is their recommendation. Dr. Fowler stated that if they are subpoenaed and are asked they have to. This is for grain. Dr. Fowler advised that if a farmer does decide to plant crops before September 20th and plants a field and does it according to all the recommended practices the federal agent is not going to make a case against that person. Chairman Jenkins thanked Dr. Fowler for this information and asked Mr. Morrison to continue with the recommended seasons for migratory birds, except waterfowl.

Mr. Morrison explained that these are tentative season dates and that action does not have to be taken on all of them. Action can be taken on the doves, snipe and woodcock so that they can be put in the regular hunting pamphlet. Mr. Morrison advised that they are uncertain if you can zone a split, but will find this out from the Fish and Wildlife Service. At next month's meeting these seasons will be adopted as well as the waterfowl seasons by declaration of emergency and at that time options for zoning and splitting the rail and gallinule seasons will be presented. Mr. Pol stated that he was going to suggest that it run concurrently with the waterfowl season. Mr. Morrison advised that they will

look into the splits and zones to make sure that this can be done. The following tentative dates, with rails and gallinules excluded, were decided on by the Commission

SEASON RECOMMENDATIONS (1991-92)

<u>SPECIES</u>	<u>DATES</u>	<u>DAYS</u>	<u>BAG LIMIT</u>
Snipe	Nov. 9-Feb. 23	107	8
Woodcock	Nov. 28-Jan. 31	65	5

Shooting hours for rails, gallinules, snipe and woodcock shall be 1/2 hour before sunrise to sunset.

Doves:

Option B:	Sept. 7-Sept. 15	9	15
	Oct. 19-Nov. 10	23	15
	Dec. 7-Jan. 3	<u>28</u>	15
	TOTAL	60	

Shooting hours: 1/2 hour before sunrise to sunset EXCEPT on the opening weekend of each split (Sept. 7-8, Oct. 19-20, and Dec. 7-8) when shooting hours will be 12:00 noon to sunset.

Chairman Jenkins asked Mr. Morrison to read the "Therefore Before It Resolved" of the resolution. A motion was made by Mr. Pol that the resolution be accepted to include everything on the season recommendations, except rails and gallinules which will be handled at a later date and also to take Option B on the doves. The motion was seconded by Mr. Jones.

Mr. Randy Lanctot, Louisiana Wildlife Federation, addressed the Commission on Option B on doves and asked why did they choose this option as it was fewer days and more birds. Chairman Jenkins advised that this was voted on already and a discussion had taken place. Mr. Lanctot stated that he had to be out of the room. Chairman Jenkins stated that they could explain it to him later. Chairman Jenkins called for a vote on the motion. The motion carried.

(The full text of the resolution
is made a part of the record)

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
July 9, 1991

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD AT BATON ROUGE, LOUISIANA, JULY 9, 1991.

WHEREAS, Hugh A. Bateman, Administrator of the Game Division,

attended meetings in Washington, D.C. on June 19, 1991 on upland migratory birds, and

WHEREAS, rules and regulations governing these migratory game birds were discussed at this meeting, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission and Louisiana Department of Wildlife and Fisheries Biologists have discussed tentative season dates for upland migratory birds, and

WHEREAS, final adoption of season dates for upland migratory birds cannot be established until requirements of the Federal Register process are met in August, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby propose tentative dates for dove, snipe and woodcock for the 1991-92 hunting season as recommended by the staff of the Louisiana Department of Wildlife and Fisheries, and

BE IT FURTHER RESOLVED, that these season dates will be adopted at the August meeting as an emergency rule so long as no changes are mandated by the U.S. Fish and Wildlife Service, and

BE IT FURTHER RESOLVED, that the Commission be notified of any action.

James H. Jenkins, Jr.
Chairman, LA Wildlife and
Fisheries Commission

A. Kell McInnis III
Acting Secretary, LA Dept.
Wildlife and Fisheries

Ms. Karen Foote reviewed the **Proposed Commercial Fisheries Sales Card**. Ms. Foote reported that in the 1990 legislature Representative Roach introduced a bill which was passed and made into law that mandated the Commission promulgate rules and regulations to initiate a sales card and receipt program for commercial fisheries products. Money will be needed to do this and, according to Acting Secretary McInnis and Ms. Baker, there is some money that is going to be made available to do this, or at least part of it, in 1992. This program is suppose to take place as of January 1, 1991. To implement this program in the best way possible, which is modeling it after the Florida system the current estimates are that it would cost \$500,000 per year. The department sent representatives to Florida to look at their system since they have a model system in the Gulf region and when it is found out what the funding will be personnel of the department will be prepared to sit down with Enforcement Division and submit for notice of intent, at the Commission meeting, the actual rules and regulations that are being proposed. The commercial fishermen's

sales card would be used in lieu of the commercial fisherman's license. It would be similar to a credit card and will have at least the fisherman's name and commercial license number on it. The Commission may require other applicable information on the card such as gear licenses and the fisherman's picture. The card would be used to imprint a multi-part receipt form to record every sale from a commercial fisherman to a wholesale-retail dealer. Other information included on the receipt would be species sold, weight, gear used, area fished and effort. The form would have a place for the fisherman to voluntarily report unit price and dollar value. One part of the receipt would be retained by the fisherman, one part retained by the wholesale-retail dealer and the third part would be forwarded to the department within ten working days of the end the month. The Department would computerize sales receipt information. This system would collect all information on Louisiana landings for state and federal fisheries management purposes. Implementation will include extensive coordination between the Office of Fisheries, the Enforcement Division, Licensing Section and the Computer Center. There is a great deal of support for this system from Representative Randy Roach and the commercial fishermen concluded Ms. Foote.

Mr. Pol gave an example of a fisherman fishing down at Lake Charles with a truck waiting there for him to haul all of his fish to Texas, or he might be fishing at Breton Island and will go into Mississippi to unload the catch and asked how is this system going to solve the problem. Ms. Foote stated that it is not going to solve the problem of non-reporting. Mr. Pol commented that this was one of our big problems now. Ms. Foote agreed and stated that it won't completely solve the problem with non-reporting but this would make the commercial fisherman responsible for filling out a receipt and the wholesaler-retailer dealer for filling out the receipt. Mr. Pol pointed out that this is just more paperwork and does not believe it will solve the problem and does not know what will solve the problem. Ms. Foote commented that it is definitely a lot more paperwork and one thing that the Florida system does that Louisiana law does not provide for is that there is not any way on this system to capture commercial fishermen's sales to a direct user. Florida does not allow this, you have to sell to a wholesale-retail dealer. This would take an act by the legislature but Ms. Foote pointed out that there is an existing law on the monthly report, a place where the commercial fishermen is to report if he sells directly to the user. That part could be used for the commercial fishermen direct sales. Mr. Jones asked what happens if a fisherman is caught that has not reported direct sale, as of now. Acting Secretary McInnis advised that it would be the same violation as having a wholesale-retail dealer not filing, first violations as a Class 2. Captain Vujnovich pointed out that some deals are strictly cash only. Ms. Foote stated that this will not solve that problem. Mr. McCall commented that this is where the cheating comes in. Chairman Jenkins thanked Ms. Foote for her report.

The Acting Secretary's Report to the Commission was given by Acting Secretary A. Kell McInnis III. Acting Secretary McInnis reported that he did get the request that was made by the Commission last month for a update on the reporting system and what could be done to improve it. Acting Secretary McInnis advised that he met with Dr. Clark, Ms. Foote, Colonel Vidrine, Ms. Baker and Mr. Turner and asked them to give him a rounded view point of what is going on. The first thing they did was to try and figure out where the problems were. It is not know how many fish the recreational people and commercial people are catching. There is a reporting requirement for the commercial end and recreational is done by a type of census such as creel samples, checks. The department needs to have a better idea where the figures for both groups are coming from. One problem is that you go to a wholesale-retail dealer and his records do not conform with the report that he sent in. The wholesaler-retail dealers do not have the best records in the world. The only way to verify this information is to insist that the dealers file these reports on a regular basis. The dealers have until the 10th of the following month to file the report. Packets are mailed to dealers and contain the reporting forms, return stickers, etc. Not everyone who was mailed a packet is reporting. The department has set about trying to find a solution for this. At this point in the meeting Acting Secretary McInnis gave a brief history of the reporting history. Since 1974 the Commission has had the authority to require these reports but there were no quotas, no limits and no impedance for the department to get the reports. It was not until 1989 that the law was revised and the department was given the authority to require these reports on a monthly basis. This was done because the department wanted to enhance their ability to know what was going on. Some of the reports are sent to the local offices, some are sent to the Baton Rouge Office. The reports have to be coordinated to make sure that they get on the master list. The department has embarked on ticket writing for failure to report and there have a been a number of people claiming that they sent their report in. Last year in an effort to make sure that everybody understood the rule the agents were sent out with another set of packets to all of those dealers that could be located who were on the non-reporting list. Since that time a new license had to be purchased and the dealers went through the same process again. This year in March the department begin monitoring the information, in-house, to formulate a report on a monthly basis to inform the department who had sent in reports. The first time there was some confusion and about ten days ago there was another report for the month of April. The agents were sent out to see those people who appeared on the list. Acting Secretary McInnis pointed out that there are a lot of people that don't deal with finfish but they are wholesale-retail dealers and all have to submit the same report. During the legislative session last year the restaurant people along with the grocery people got together and were successful in convincing the legislature that sending all of these reports in that said they only bought from another wholesale-retail dealer was duplicitous. The department has received reports from restaurants and at the same time if a commercial fishermen sells to a wholesale-retail

dealer the report is to come from the dealer and not the fisherman. The problem is there is perception and certainly reality stated Acting Secretary McInnis that some of these fishermen on some occasion sell to someone other than a wholesale-retail dealer that is a fish dealer. To date the department does not have a report from any fisherman indicating that he had made a direct sale. To believe that this has never taken place is not realistic. If the records are different from what is being reported a spot check is needed. Once people get use to being checked they will keep better records commented Acting Secretary McInnis. If they are never checked the dealers will not make any improvement because status quo is good enough. Another problem is when the report indicates different than the purchase. The check and balance system is designed to help this but the only way to find this out is to get out in the field with undercover people making sales and when it comes time to checking it go back and see if the sale is actually recorded. Samething is true with the grocery store. The unreported direct sales is a more difficult situation stated Acting Secretary McInnis. The department can do everything to address these issues as they are reported but cannot be everywhere all the time. The trip system is duplicitous and has two or three copies to it; it is not all that ends all but is a definite improvement. Enforcement plays an important part in this and when the department receives tips they do follow up on them. Captain Vujnovich asked about who should report. Acting Secretary McInnis informed him that if you buy from someone who was the first point of sale you do not have to report it again. If you are a wholesale-retail dealer and you buy you have to put down that you bought but you don't have to put down the pounds, put 0 down because you have bought them from someone who has already reported it. The fisherman is not required to report unless he makes a direct sale. Mr. Foret asked about the National Marine Fisheries report. It was pointed out that their reporting system for shrimp was not the same for finfish. Mr. Pol asked how long do the dealers have before they have to submit their report. Acting Secretary McInnis advised that it was the tenth of the month following. Mr. Roussel clarified that the dealer is actually given ten days, at the end of June the dealer is required to report by July 10th what he bought in June. Mr. McCall asked how many fish houses were in the state. Roughly about 3,000 wholesale-retail license holders answered Acting Secretary McInnis. Mr. McCall asked what is so hard about a place like Cameron-Calcasieu to determine how many fish dealers are in the parish. Everyone who has a wholesale-retail dealer's license is entitled to sale any of the seafood products answered Acting Secretary McInnis and a figure could be obtained as to how many of those licenses are held in Cameron-Calcasieu Parishes. Mr. McCall asked why would it be so hard for a agent to pay them a visit twice a week until they get the reporting down and make sure they are doing it. Acting Secretary McInnis stated that to go there twice a week he does not see what benefit they would get out of it. Mr. McCall asked how often would they receive a visit. Acting Secretary advise that it depends on how many reports are filed and if they continue to neglect the reports they will be visited every month. Getting people in the habit of filing an

accurate report is something that takes a little time. Mr. McCall asked what was going to be done about the fishing boat that load its fish into a truck that goes to Texas, Arkansas, or Mississippi. Acting Secretary McInnis answered have somebody tell us where that truck is and it will be stopped and everything seized in it. Mr. McCall asked if the department was going to depend upon people telling them where the truck is everytime. No, answered Secretary McInnis and added that the agents do work by themselves but as the Commission knows two or three agents cannot be everywhere in a parish twenty-four hours a day. Mr. McCall stated that he realized this and advised that he was looking at the Enforcement report which has not been given yet. In the report it is shown fishing without a resident pole license for the month of June 202 cases and Mr. McCall asked how many fish did those people catch with a cane pole on the side of the bank. What he is saying is that he thinks it would be more important if more time would be spent on bigger stuff than the cane pole fishermen on the side of the road or a little bayou. Acting Secretary McInnis stated that he would imagine that Colonel Vidrine will address this more specifically but it is his estimation that the time it took to write 202 tickets is not very long. They are probably written in droves at one point in time are are issued in a specific area where they anticipate this type of violation will occur. The agents have spent ten times more time on reporting in the last two months than they have in their entire lives stated Acting Secretary McInnis. Mr. McCall asked if it would be fair to say that the agents could spend more time on the bigger items than some of the others? Acting Secretary McInnis assured Mr. McCall that they have been spending more time on this issue than they ever have before.

Chairman Jenkins stated that everybody realizes that the department has limited resources so this gets down to a matter of priority and he believes what everybody on the Commission is telling Acting Secretary McInnis and the people in Enforcement is that they want to make it a priority and if it takes dedicating some of the resources (people, equipment, time, money) they would like for the department to do this. Make it a priority and work on it until it is going in the right direction. Acting Secretary McInnis, at this point in the meeting, asked staff, Ms. Baker, Ms. Foote and Colonel Vidrine to supply him, next Monday, with the amount of hours that each of their employees have spent on this for the last two months and added that he thinks the Commission is going to find an extraordinary number of hours have been spent on this trying to address this issue. The department is not where they want to be but has spent a great deal of time trying to get where they want to be. This information will be provided to the Commission Acting Secretary McInnis informed them. Chairman Jenkins commented that he know they have been working on it in the last couple of months but believes there is a need for a better defined program which will probably primarily be auditing, enforcement and maybe some education. Acting Secretary McInnis stated that he thinks the Extension Service could be a great deal of help to the department. Chairman Jenkins stated that this is something that is not going to happen unless everybody decides they want to make it happen.

Mr. Pol stated that there were eleven or twelve agents graduated from the academy and only one of them went to the coast while the rest went to north Louisiana. The problem is down on the coast, we are losing the speckled trout and nothing is being done to stop it commented Mr. Pol. Mr. McCall stated that he accepts the fact that the department is short on enforcement people, more are needed and the people out there are doing a good job in most cases. It is hard for Mr. McCall to see how over thirty thousand feet of unattended gill nets could be in Calcasieu Lake alone this year and not be seen, reported or anything done by an agent. The tip had to come from a private individual to tell the department that these nets were out there and if the agents are patrolling either land or water they should have known the nets were out there, fish were being caught and fish were being moved. There is something lacking when you have that many nets, nobody see them or knows where they end up at. Mr. Pol commented that the commercial fishermen know what happened at the board meeting before the Commission gets out. Chairman Jenkins asked Acting Secretary McInnis to finish his report.

Acting Secretary McInnis continued and gave a brief overview of the closure of the 1991 legislature. The department had introduced about twenty-five bills, of those bills there were six or eight pulled and the balance of which were continued. There was only one bill that was introduced which did not make it. This was the bill that dealt with adding additional seasons to the exception of the Administrative Procedure Act. The reason it was unable to go forward was that this was done in conjunction with the bill that was sponsored for game fish for the trout and redbfish and adding the additional seasons was unable to keep up with it. The gamefish bill took longer to go through the session than had been anticipated and the bill got caught on the House side and could not get out.

From the Habitat Section and the Fiscal Section, Mr. Scoggin helped the department to provide for the allocation of funds within the Habitat and Natural Heritage Trust which gives the department more flexibility in utilizing the funds and accumulating funds for the Natural Heritage Program.

There were a series of oyster bills which cleaned up things. During the past year there has been a number of problems with the weather which was very detrimental to the oyster industry, and action taken by California which was very detrimental to the local oyster industry, so several steps have been taken in some of the bills to clean up the legislation and tighten it to make sure the industry is properly monitored and continues to be a viable growing industry.

Legislation was passed to clarify the crab trap controversy. It is an illegal gear and the department will consider whether or not to utilize any other experimental programs to test these gears further.

Catching shrimp with a butterfly net in inside waters in closed season is now a Class 4 violation.

There is a new Life Time License which will be available shortly after the first of the year. This license will be developed and produced by the Licensing Section. Acting Secretary McInnis encouraged anyone who was interested to participate in this program even if they did not need a license. The price for someone who is 0-13 years of age is two hundred dollars, over 13 a lifetime fishing license or hunting license can be bought for three hundred dollars apiece or a combination hunting/fishing license for five hundred dollars which includes everything but the migratory stamps, state and federal.

There were some problems with the Class 1 violations and they did not generate the amount of money anticipated because the boating violations were ruled to be inapplicable. They are not specifically included in the Class 1 violations as are the penalties. If a person fails to avail himself to either paying the civil penalty or going to the administrative hearing and clearing the situation a person will be notified subsequently that his license has been revoked (license that was being used at the time) and if another license is procured during the course of suspension and the person is caught using it this will be a Class 3 violation which is much more substantial.

The department was not successful with all of their bills. They were working on a land transfer with IP Timberlands Operating Company and there were some problems. Representative Roach, Representative John, Representative Theriot and Representative Patti went to bat for the department on the oyster bills.

Signed
Acting Secretary McInnis advised that if any of the Commissioners had anything particular that they were following he would be happy to answer questions on it and the department should have a completed report in the morning. A final report will be prepared and submitted at the next Commission meeting.

Mr. Pol informed those attending the meeting that the Governor ~~assigned~~ the speckled trout/redfish bill. This bill was signed on July 2, 1991. The Commission/department now ~~has~~ the responsibility to regulate these fisheries which is a big step forward.

Acting Secretary McInnis advised that Dr. Jerry Clark was not at the meeting today as he is attending the Gulf Council meeting and advised that he would be joining Dr. Clark in the morning. Acting Secretary McInnis announced that Chairman James H. Jenkins was appointed to the Gulf Council.

Concluding, Acting Secretary McInnis thanked all of the staff for the cooperation and dedication that they gave to him during the legislative session this year.

The Monthly Law Enforcement Report for June was given by Colonel

Winton Vidrine. Colonel Vidrine reported that the following citations were given during the month of June, 1991.

Region I - Minden - 172 citations were issued. Quite a few fish, rod and reel, gill nets, etc. were confiscated.

Region II - Monroe - 134 citations were issued.

Region III - Alexandria - 226 citations were issued. Confiscated six hundred feet of two inch gill nets, one alligator, another gill net and a rifle.

Region IV - Ferriday - 119 citations were issued.

Region V - Lake Charles - 243 citations were issued. Confiscated were forty speckled trout, ten red drum, four black drum, a couple of hoop nets, white perch, and cast nets.

Mr. Pol stated that a rumor was received during the last meeting that a truck full of speckled trout headed towards Texas had been apprehended and asked if this did happen. Colonel Vidrine answered yes sir. Mr. Pol asked why wasn't it on the report. Colonel Vidrine stated that a gentleman from Texas was cited but he did not have a bunch of speckled trout. Mr. Pol asked why wasn't there a press release on this as he was told the man had a truck full of fish. Colonel Vidrine answered he did not know but the man did not have a truck full of fish. Colonel Vidrine pointed out that if you look under Region V you can see that the agents did a pretty good job. The man was a dealer from Texas that came into Louisiana and was taking fish from one dealer to the other explained Colonel Vidrine. His records were seized and some of his records were from New Orleans. The D.A.'s office were furnished these records. Fish had been delivered from Cameron to New Orleans. Several citations were issued. Colonel Vidrine furnished the complete report to the Commission for their review at this point during the meeting.

Region VI - Opelousas - 184 citations were issued. Confiscated were 14 black drum, alligator, fox, 3 undersized drum and a 174 sac-a-lait.

Region VII - Baton Rouge - 356 citations were issued.

Region VIII - New Orleans - 281 citations were issued. 15 were charged with taking and possessing of undersized spotted seatrout, 11 for taking possession of commercial fish without a vessel license, 22 for trawling in closed season, and 16 for trawling in inside waters with oversized rigs. Colonel Vidrine pointed out that there was a half of pages of confiscations, to many to mention.

Mr. McCall referred to the wording "Failure to abide by Commission rules" which was stated in the report several times and asked if there was any particular ruling that they are not abiding by. It was explained that because there were so many rules they are not

broken down in the report but are on the citations.

Region IX - Thibodeaux - 487 citations were issued. 12 for possession of over limit of gamefish, 7 for possession over limit of red drum, 32 for possession of undersized red drum, and 41 for possession of undersized spotted seatrout all in the Grand Isle area.

The Oyster Strike Force issued a total of 29 citations for the month of June.

SWEP, Rip Tide and Delta Tide issued a total of 14 citations. Confiscated were 7 trawls, 4,630 pounds of shrimp and sold the shrimp for \$5,209.00, 2,384 pounds of black drum with the total weight of the fish seized being 37,560 pounds.

The total number of citations issued for the month of June, 1991 was 2,245 citations.

As a point of information, Colonel Vidrine stated that last month or two months ago the department was investigated by the U.S. Department of Labor for working the agents over the 86 hour pay period and accused the people of falsifying their timesheets and stating that they worked only 86 hours when in fact they were working a hundred and something hours a pay period.

The agents that were hired recently, out of eleven agents in the academy, seven are assigned to the coastal parishes advised Colonel Vidrine. Mr. Pol stated that he thought in the list that Colonel Vidrine had given to him that there were only two and they were in New Iberia Parish. Colonel Vidrine stated that was in the prior academy and in the new academy seven out of eleven belong to the coastal parishes.

Continuing, Colonel Vidrine advised that the report on the seafood dealers was given to him Wednesday morning at 10 a.m. of last week. This was the first time that he has ever received a report on this since he has been with Wildlife and Fisheries. Mr. McCall asked Colonel Vidrine when he says seafood dealers is he talking about shrimp, fish, etc. Colonel Vidrine advised that he was talking about seafood dealers throughout the state, the ones that did not file their monthly report. The Regional Supervisors were called and instructed to go to every seafood dealer in the State of Louisiana that had not turned in their monthly report. Region I and II did not have a chance to do this over the weekend because of the death of one of the agents in that area.

Acting Secretary explained that the agents in Regions I and II had been asked to help out over the weekend and unfortunately there was an accident with an agent drowning Saturday. A great deal of time and man hours were spent on this. The investigation is still going on as to the accident itself. The funeral was yesterday at 2 p.m. in Homer, Louisiana and all of this sat back the agents in Regions I and II substantially advised Acting Secretary McInnis.

Colonel Vidrine continued and stated that Region III, Alexandria, had fifty eight dealers who had not turned in their monthly report. As of noon today they had contacted six of them and issued citations. This will continue until all fifty eight are cited. Region IV, Ferriday, had twenty two dealers who had not reported and two citations were issued this morning. Region V, Lake Charles, had sixty two dealers who had not reported and twenty two were cited between Saturday and this morning. Region 6, Opelousas, had eighty six dealers who had not reported and sixteen have been cited as of this morning. Region 7, Baton Rouge, had a total of one hundred twenty six with twenty two citations issued as of noon today. Region VIII, New Orleans, had a total of one hundred sixty seven dealers who had not reported and seventy four citations were issued as of this morning. Region IX, Thibodeaux, there were sixty nine dealers who had not reported with twenty nine cited as of this morning. This is a Class 2 violation with a fine of \$125 to \$250. The Enforcement Division is going to continue to pursue this issue and do the best they can to make these people follow the law.

Acting Secretary McInnis stated that one or two things that he neglected to mention is that during the course of the last month due to the weather there were two separate oyster closures which caused the department to work with the Department of Health on an extended basis. Also this morning the closure for the inshore shrimp season in Zone 3 which is the western shore of Vermilion Bay, southwest pass at Marsh Island to the Louisiana Texas line was signed by Acting Secretary McInnis. This will close at 12:01 a.m. on Saturday, July 13th.

Chairman Jenkins thanked Colonel Vidrine and Acting Secretary for their reports and called for **Public Comments** from the audience.

Mr. Dan Bradhoun addressed the Commission on the Black Bass Management Plan. Mr. Bradhoun believes that the Commission should change the limit on black bass back from 8 back to a higher limit, even in the trophy lakes and quality lakes and asked the Commission to please consider this. Mr. Bradhoun believes this is what most of the public wants and most people are not interested in catching a bigger bass.

Chairman Jenkins asked if anyone else would like to speak.

Mr. Pol asked what was happening with the fish hatchery. Acting Secretary McInnis advised that the department is in the process of selecting a site for the fish hatchery and has been narrowed down to two good sites. Different members of the staff are evaluating these sites and gathering final information. In the next week to ten days all of the information should be available. The five million dollars that was in the Capital Outlay Budget in Category 5 was removed with one million dollars being left in for sight development. By the time the site development is completed the first of the year will have passed and the department will be in a posture to get the money put in a higher category in next year's Capital Outlay Budget advised Acting Secretary McInnis. Mr. Pol

commented that what upsets him that other states, such as Texas, have five or six big beautiful hatcheries and everybody is bashing the Wildlife and Fisheries and not trying to help out.

Captain Vujnovich asked permission if he could check out the State Oyster Seed Grounds on Saturday August 20, 1991 and would make all the arrangements. Chairman Jenkins stated that he did not think this would be a problem.

Chairman Jenkins asked if there was any other business to be brought before the Commission. There being none Mr. Pol made a motion for **Adjournment** of the July 9, 1991 Commission. The motion was seconded by Mr. McCall and passed unanimously.

A. Kell McInnis III
Acting Secretary

AKM:sb